

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR
Sacramento 14
November 28, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED

In the office of the Secretary of State
of the State of California

NOV 29 1949

At 11:20 o'clock *AM*
FRANK M. JORDAN, Secretary of State

By *Chas. J. Hagerly*
Deputy

My dear Mr. Jordan:

Attached are three copies of Department Bulletin No. 379 issued by the State Department of Social Welfare which is being filed in accordance with Section 11380 of the Government Code.

The regulations contained in the bulletin were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Section 103, on November 21, 1949.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Myrtle Williams
MYRTLE WILLIAMS, Director
Department of Social Welfare

~~ENDORSED~~
FILED
in the office of the Secretary of State
of the State of California

NOV 29 1949

At 11:20 o'clock *AM*

FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERLY, Deputy

468:b5
Attachments

■ Certified as a Regulation (Regulations of the

Dept of Social Welfare
(Name of State Agency)

Wm L. Sullivan
(Signature)

Director
(Title)

11-28-49
(Date)

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14

November 25, 1949

6410 103
FILED

In the office of the Secretary of State
of the State of California

DEPARTMENT BULLETIN NO. 379 (ANC)

NOV 29 1949

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
LOS ANGELES JUVENILE COURT
SAN FRANCISCO JUVENILE COURT
CHILDREN'S INSTITUTIONS

At 11:20 o'clock *a* M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: ANC Revision of Policies and
Procedures with Respect to
State Residence and County
Residence

The attached regulations, adopted by the Social Welfare Board on November 21, 1949, to be effective December 1, 1949, include changes and clarification in the ANC policies and procedures relative to state residence and county residence.

The material pertaining to state residence has been separated from county residence since state residence and county residence serve distinctly separate purposes. State residence is determined for purposes of establishing eligibility; county residence is determined for purposes of financial participation in ANC payments.

The procedure for determining both state and county residence has been materially simplified, and the requirement of affidavits to establish residence has been eliminated. Residence verification forms CA 204, 216, and 221 have been eliminated. It should be noted that emphasis is placed upon the need for careful and complete case recording of the county's determination of residence.

These new regulations supersede the following portions of the Manual of Policies and Procedures insofar as they pertain to ANC:

Residence Chapter, and

Sec. 232-10
Sec. 232-20
Sec. 232-25

Sec. 232-27
Sec. 232-40
Sec. 234-25

Sec. 353-05
Sec. 370-00
Sec. 370-05

Department Bulletin No. 349 is also superseded insofar as it pertains to ANC.

Very sincerely yours,

Myrtle Williams
MYRTLE WILLIAMS, Director
Department of Social Welfare

Attachments

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FILED

In the office of the Secretary of State
of the State of California

NOV 29 1949

At 11.20 o'clock *a*

FRANK M. JORDAN, Secretary of State

By *[Signature]* Deputy

A child shall be considered eligible for ANC with respect to residence, if:

1. He was born in California, or
2. He has been physically present in California for one year immediately preceding the date of application, or
3. His parent or parents have resided in California for a period of one year immediately preceding the date of application. (Residence of a parent ends with a parent's death.)

No period of county residence prior to application is required for eligibility. Dependency or receipt of assistance through any county in California is irrelevant in determining residence for purposes of ANC.

SEC. 2 DEFINITION OF RESIDENCE

SEC. 2

Residence is not defined in the ANC law. Therefore, the word "residence" and its derivatives "reside" and "residing" are interpreted in accordance with provisions of the general laws, except as they conflict with specific provisions of the Welfare and Institutions Code.

Residence is not to be confused with length of residence required as a condition of eligibility.

If the residence of the child depends upon the residence of his parents, determination of residence shall be made in the light of the following definitions:

1. Residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
2. There can be only one residence.
3. A residence cannot be lost until another is gained.
4. Residence can be changed only by union of act and intent. Before residence is gained, it is necessary that there be physical presence and intent to establish residence in a certain place. The factor of intent involves, as a prerequisite, ability to make a choice. Therefore, a person entering the state under arrest, such as a federal prisoner destined for Alcatraz or for a county jail functioning as a federal prison, a person extradited from another state in which he had established residence, an escaped prisoner, a paroled prisoner, and any other person of similar status could not establish residence here since such person does not have the ability to make a choice. However, if a parent who was living in California with the intent to establish residence here is confined in a prison or committed to a public hospital in California, time spent in, or parole from, such public institution is considered in establishing state residence.

Voluntary physical presence in this state for any considerable length of time may indicate intent to reside here. In the absence of evidence to the contrary, residence shall be considered to begin on the date of entry into California.

Temporary absence from the state with intent to return to California does not interrupt residence already acquired in this state and such periods of absence

are included when computing length of residence. Temporary absence includes absence for such purposes as:

1. Visiting or seeking employment.
2. Employment which entails travel, such as that of salesmen, merchant seamen, migratory workers, and entertainers.
3. State or U. S. business of employment, including military service.
4. Confinement in a prison or commitment to a public hospital.

Under the general laws, residence of a husband determines that of his wife, whether she is an adult or a minor. If the husband dies, or the couple are divorced, the widow, or divorced wife, whether adult or minor, determines her own residence. A husband, however, is deemed to reside where his family has residence unless he establishes a separate residence elsewhere by act and intent (Pol. C 52). A woman, upon marriage, does not acquire her husband's prior length of residence.

The residence of a minor whose marriage has been annulled is governed by her parents. The residence of a child of an unmarried minor is governed by the residence of the mother's parents.

Residence of a guardian does not establish state residence for his ward for the purpose of ANC.

SEC. 3 RESIDENCE REQUIREMENTS MET BY CHILD'S BIRTH IN CALIFORNIA

SEC. 3

If a child is born in California, no period of residence prior to application is required. He is eligible with respect to residence if he is in California, regardless of the residence of his parents.

Example: The mother of a child born in California is deceased. His father lives in Ohio and never has been in California. The child has lived with his grandmother in California since 2/14/48. If he is otherwise eligible, he qualifies for assistance on 2/14/48, as he has state residence for purposes of ANC by reason of California birth.

If a child born in California receiving ANC has a parent whose residence is in California, the child may be temporarily absent from the state, with or without the parent and, if he remains otherwise eligible, assistance shall be continued as long as the parent retains California residence by act or intent.

If a child born in California receiving ANC does not have a parent whose residence is in California, the child becomes ineligible at the end of the month in which he leaves the state.

If a child born in California leaves the state and loses his state residence by the intent of his parent to establish residence elsewhere, he becomes ineligible immediately.

A child born in California who leaves the state is eligible for restoration of assistance immediately upon his return to the state, if otherwise eligible.

If a child not born in California has been physically present in the state throughout the year immediately preceding application and remains here, he is eligible with respect to residence regardless of the residence of his parents.

Example A: A child was born out of the state and continued to live out of the state. His last surviving parent died on 6/20/48 after residing in California for four years. The child came to California on 6/22/48 and has lived with his grandmother since that date. If he were otherwise eligible, he would qualify for ANC on 6/22/49 when he had been physically present in the state for one year. (Residence of a parent ends with the parent's death.)

Example B: A child born out of the state who continued to live outside the state joined his father in California on 6/18/49. The father had resided in California for 4 years. The father died on 8/17/49. Application was not filed prior to the father's death. Therefore the child would not qualify for ANC on the basis of state residence until 6/18/50 when he will have been physically present in the state for 1 year.

Example C: The father of two children born out of state is deceased. The mother brought them to California in 1947, leaving them with her aunt. The mother has lived in Arizona since 1947. An application for ANC is filed on 1/15/49. The children, if otherwise eligible, qualify on the basis of their physical presence in California for one year immediately preceding the date of application.

Example D: A child whose parents have residence elsewhere has lived with an aunt in California for two years. ANC was granted on the basis of physical presence of the child in the state. The parents come to California without intent to establish residence and the child then lives with them. If otherwise eligible, the child continues to be eligible for ANC on the basis of physical presence, although he is with his parents who retain residence elsewhere.

A child receiving assistance who meets the residence requirements solely by his physical presence in California becomes ineligible at the end of the month in which he leaves the state. However, if the child returns during the following month and assistance is restored during that month so that monthly payments do not cease, his residence shall be considered to have continued without interruption. If the child does not return to the state in time so that it is administratively possible for assistance to be restored in the following month, he remains ineligible until he has reestablished one year's residence either by his physical presence or by his parents' residence.

If a parent of a child not born in California has resided in the state for a period of one year immediately preceding the date of application, the child is eligible with respect to residence regardless of the subsequent death of the parent after the date of application. Absence of the child from California during this period would have no effect on eligibility if the child is in the state when assistance is granted.

Example A: Four children born out of state were living in Arizona with their parents. Their father died on 5/6/48. The mother came to California and established residence here on 8/17/48 bringing two of the children. On 4/7/49, the other two children joined the mother. The state residence requirement for all four children is completed on 8/17/49, when the mother has resided in California for one year.

Example B: A child born outside California came to live with his father in the state on 6/18/48. The father had resided in California for four years. Application was signed on 8/17/48. Before the application was approved, the father died on 9/5/48. Since the application was signed prior to the father's death and the father had resided in the state for one year immediately preceding the date of application, the child is eligible for ANC immediately with respect to residence.

Absence of a parent or both parents from California without loss of state residence during the year immediately preceding application would have no effect on eligibility if the child is in California when assistance is granted.

Assistance shall not be denied solely because a child or the parents received assistance from another state or one of its political subdivisions while physically present in this state. If residence in another state is a condition to the granting or continuance of assistance, this may indicate an intent on the part of the parent to retain residence in that state. However, other evidence may indicate intent of the parent to establish residence in this state. If the child was physically present in the state during the year, receipt of assistance would have no effect on eligibility since intent is irrelevant when residence is based on the child's physical presence. (See Sec. 4, Residence Requirements Met by Child's Physical Presence in California.)

If the parents leave the state with the intent to reside elsewhere, leaving the child in the state, the child who does not have one year of physical presence in the state becomes ineligible for assistance immediately. Such a child would remain ineligible until one year of residence by physical presence has been established.

If one or both parents and the child receiving assistance move out of the state with the intention of establishing residence elsewhere, the child is immediately ineligible for assistance. The parent's California residence is lost at the moment that, by act and intent he gains residence elsewhere. However, if the child returns to the state with his parent, during the following month and assistance is restored during that month so that monthly payments do not cease, the residence of the parent (if he intends to reside in California) shall be considered to have continued without interruption. Or, if the child returns to the state without his parent during the following month and assistance is restored during that month so that monthly payments do not cease, his physical presence in the state (if he has been physically present in the state for one year including the period of absence) shall be considered to have continued without interruption. If the child or parent does not return to the state in time so that it is administratively possible for assistance to be restored in the following month, he remains ineligible until one year's residence has been reestablished either by physical presence or by the parent's residence.

If one or both parents and the child receiving AN or the child alone, are temporarily absent from the state without loss of state residence and the child is otherwise eligible, assistance shall be continued during the absence as long as the child remains otherwise eligible and the parent retains California residence by intent.

SEC. 6 DETERMINATION OF STATE RESIDENCE

SEC. 6

The county shall determine that the child has residence in California as follows:

1. Child Born in California

The narrative report shall include the applicant's statement of the place of birth. If the applicant can give definite, clear, and complete information and there is no doubt regarding the place of birth, or if the records of the county provide the information, additional evidence is not required.

If the applicant does not have complete or accurate information, or if there appears to be conflicting information, further evidence of place of birth shall be obtained. Usually the applicant himself can easily supply or obtain the additional evidence. Types of evidence which are acceptable for determining age are also acceptable for determining state residence. (See Department Bulletin 373, Sec. 24)

2. Child Not Born in California

- a. If the child's state residence is governed by his physical presence in California, the narrative report shall include an oral or written statement of the person responsible for the care of the child or of any other person having knowledge that the child has been physically present in the state for one year immediately preceding the date of application. If the statement obtained does not give definite, clear, and complete information or if there is doubt regarding the child's physical presence in the state, additional evidence shall be secured. This may be in the form of reports of records or combinations of records of institutions, schools, hospitals, county welfare departments, etc., or interviews with other persons having pertinent information.
- b. If the child's state residence is governed by the residence of a parent in California, the narrative report shall include the parent's statement of his residence and intent of residence for one year immediately preceding the date of application. If the parent has been absent from the state during the year, his statement shall include reasons for leaving California, activities during absence, and reasons for returning to the state. If the parent's statement is not definite, clear, and complete or there is doubt regarding his residence, additional evidence shall be secured. This may be in the form of records or combinations of records covering the year's period or interviews with other persons. Some of the factors that would support the parent's statement of intent to retain California residence during periods of absence are:

- (1) Maintenance of a home in this state.
- (2) Storage of possessions in this state.
- (3) Exercise of voter's privilege; i.e., casting absentee voter's ballot in election in this state.

- (4) Return to state immediately upon termination of cause of absence.
- (5) Return to state during seasons of repose.
- (6) Expression of intent to retain residence in this state in correspondence with relatives, friends, or others, written prior to or during absence.
- (7) Purchase of round trip ticket at the time of departure.
- (8) Expression of intent, prior to departure, to neighbors, schools, church, or lodge officials.
- (9) Securing non-resident hunting, fishing, or automobile permit in other state.

The fact that residence was retained by a parent shall be determined when restoration of assistance for a child is requested following discontinuance during absence from the state in order to show that the parent has retained California residence by intent.

If a child receiving assistance accompanies his parent to another state, the parent shall be required to report within a two-month period his intent with regard to residence, and thereafter shall be required to inform the county of any change in intent with regard to residence. The parent shall also be required to report his living arrangements in the new locality, any change in his income due to the change of his living plan, and the expenses of the current living plan. If the absence continues, arrangements shall be made periodically with out-of-state welfare departments to contact the child and parent to determine that the child is receiving adequate care. The county may determine the whereabouts of the payee by occasionally forwarding warrants by registered mail with return receipts requested.

SEC. 7 REQUIREMENTS FOR COUNTY PARTICIPATION IN ASSISTANCE PAYMENTS

SEC. 7

County financial participation is required when the child has had residence in the county for one year, except in the case of a foundling. A period of county residence prior to application is not an eligibility requirement for ANC. The state reimburses the full amount paid by the county within the statutory limitations until the required one year of county residence has been completed; such cases are referred to as "non-county" cases, and the payments made are referred to as "non-county assistance". When the county participates in the payments, the cases are referred to as "regular" cases and the payments as "regular assistance".

If a child is receiving ANC on a regular basis and his county residence is changed to another county, the first county shall continue payments on a regular county basis, if otherwise eligible, until the completion of one year from the date residence was established outside the first county.

If a child is living in a county other than the one in which his residence is established, the county of residence participates in the assistance payment if one year's residence is acquired in that county regardless of the child's presence in another county. This does not apply if the child's residence is established by his physical presence.

Example: A child whose residence is governed by that of his father is living with his grandmother. The father's residence is in County A where he has lived for 10 years. The grandmother lives in County B. County A participates in the assistance payment as long as the father's residence does not change even though the child continues to live in County B.

If the person whose residence determines the child's residence is absent from the county of residence for specific purposes or for temporary periods only, with the intent to return to the county, the period of residence is not interrupted and such periods are included when computing the length of county residence. Temporary absence includes absence for such purposes as:

1. Visiting or seeking employment.
2. Employment which entails travel, such as that of salesmen, merchant seamen, migratory workers, and entertainers.
3. State or U. S. business or employment, including military service.
4. Attending an institution of learning. (If the person remains in another county during long vacation periods, his intent as to residence shall be determined.)
5. Confinement in a prison or commitment to a public hospital, including parole. The mother of a child receiving ANC is deemed to be living separate and apart during the time the father is confined in a state or federal hospital or prison and she may change the child's residence if the child is in her care or custody. If the father is paroled, the mother's residence follows that of the father unless, upon his parole, she lives separate and apart from him.
6. Living in a private institution. However, such a person by act and intent, may make the county in which the institution is located his county of residence.
7. Living on land owned or leased by and subject to the exclusive jurisdiction of the U. S. Persons living on such land not subject to the exclusive jurisdiction of the U. S. may acquire county residence by act and intent.

The person whose residence governs the residence of a child has freedom of movement and choice of county residence. He should be instructed to notify the county of changes in residence in order to avoid interruption in assistance payments. If he goes to another county without intent to establish residence there, he shall be required to inform the county of residence at monthly intervals of his intent as to residence, and of the child's living arrangement if the child is also absent from the county. If there is a prolonged absence, the county of residence may request the county wherein he is sojourning to redetermine the amount of need.

If the child's residence is governed by his physical presence, the person caring for the child shall be required to keep the county informed of the child's whereabouts and living arrangements.

SEC. 8 DEFINITION OF COUNTY RESIDENCE

SEC. 8

For purposes of ANC, county residence shall be governed by the first of the following conditions, whichever is applicable. The case record shall show why each condition preceding the one upon which county residence is based is not applicable. (See Sec. 2, Interpretation of Residence.)

1. Father - W&IC 1526(a)

If the father is living, the child's county residence is the same as that of the father unless:

- a. He has abandoned the child.

- b. His whereabouts is unknown and the county is unable to locate him.
- c. He is residing outside California.
- d. He has been legally deprived of the child's custody; i.e., by appointment of a legal guardian of the child, by court order declaring the child free from custody and control under W&IC 775 et seq., or by court order in a divorce action. A parent of a child made a ward of the juvenile court under W&IC 700 is not deprived of his child's custody because of the child's commitment.

If the mother who has legal custody by court order in a divorce action dies, the child's residence reverts to the father's residence. In such cases, if the mother's residence was in a different county from that of the father, the required one year of residence in the father's county begins on the date of the mother's death.

- e. He is living separate and apart from the mother who has the child and who has not been deprived of legal custody of the child. If the parents are living separate and apart and the child is living with neither parent, the child's residence is the same as that of the father if Items a, b, and c above are not applicable. Living separate and apart means physical separation and may be voluntary or involuntary, such as long hospitalization or incarceration.

2. Mother - W&IC 1526 (b)

If residence of the child is not governed by the father's residence and the mother is living, the residence of the child is the same as that of the mother unless:

- a. She has abandoned the child.
- b. Her whereabouts is unknown and the county is unable to locate her.
- c. She is residing outside California.
- d. She has been legally deprived of the child's custody.

If the mother is living separate and apart from the father, his residence shall not be deemed to be her residence and she may establish separate residence. Living separate and apart means physical separation and may be voluntary or involuntary, such as long hospitalization or incarceration.

3. Legal Guardian or Juvenile Court Wardship - W&IC 1526 (c)

If the residence of the child is not governed by the residence of either parent, the child's residence is the same as that of the legal guardian unless the guardian's whereabouts is unknown or he is residing outside California.

If the child has no legal guardian and is a ward of the juvenile court (committed to the care of the probation officer or the California Youth Authority), the county in which the court is located shall be considered to be the residence of the child.

4. Foundling - W&IC 1526 (d)

A foundling (a child deserted by both parents without means of identification) has county residence in the county in which he was found. If

assistance is wanted, he retains residence in the county in which he was found unless a legal guardian is appointed or he is made a ward of the juvenile court, in which event residence is governed by Item 3.

5. Public Agency Placement - W&IC 1526 (e)

If the residence of the child is not governed by conditions under Items 1 through 4 and the child has been placed in an institution or a boarding home by a public agency, the county in which he had residence at the time of the placement shall be considered his residence, until such time as the residence of a parent or guardian or by court wardship is applicable. For the purposes of county residence, a boarding home is a private family home which accepts one or more children to board with or without compensation, except that this does not apply to the boarding of nieces, nephews, grandchildren, brothers, or sisters.

Example: The family established residence in County A. A divorce decree awarded custody of the child to the father. The father disappeared, leaving the child with neighbors. County A placed the child in a boarding home in County B, located the father, and secured support. The whereabouts of the father became unknown and the boarding home mother applied for ANC. For purposes of ANC, the residence of the child remains in County A until residence is governed by conditions under Items 1, 2, or 3.

6. Physical Presence - W&IC 1526 (f)

If residence is not governed by conditions under Items 1 through 5, the county in which the child is living shall be deemed the county of residence. This applies to a child who does not have a parent or guardian in the state or whose parent or guardian cannot be located in the state, unless the child is a foundling; and to a child living in a boarding home or institution, except a child so placed by a public agency (see Item 5).

Example: A half orphan has been living for three years with various relatives in County A since his mother's death. Neither parent established residence in County A. The father's whereabouts has been unknown for two years, and after a complete investigation the county is unable to locate him. The child has no legal guardian and is not a ward of the juvenile court, and Item 5 does not apply. Therefore, residence is governed by Item 6, that is, physical presence of the child in County A.

Determination of the county or counties wherein the child had residence during the year immediately preceding the date residence was established in the county of application is required for all non-county cases. This determination is not a requirement in regular cases. (See Sec. 7 for definition of "regular" case.)

In all non-county cases, except in cases transferred from another county, the county of application shall complete a Statement of Non-County Residence, Form CA 234, to show the county's determination, including the basis of the determination, of the child's county residence during the one year immediately preceding the date residence was established in the county of application. (See Sec. 12, Instructions for Completing Statement of Non-County Residence.)

The county shall substantiate the determination of non-county residence by the following:

1. If county residence of the child at the time of application is governed by the residence of a parent (Item 1 or 2 of Sec. 8) or of a legal guardian (Item 3 of Sec. 8), the narrative record shall include the parent's or guardian's statement of his residence and intent of residence at the time of application and during the year immediately preceding the date on which residence was established in the county of application. Each county in which the parent or guardian resided shall be included with the dates physical presence began and terminated and a statement as to whether or not the person intended to make his home in that county. If the parent or guardian can give definite, clear, and complete information and there is no doubt regarding the situation, or if the records of the county provide the information, additional evidence is not required. If the parent or guardian does not have complete or accurate information, or if there appears to be conflicting information, the person shall be informed of all steps to be taken for securing further evidence. Additional evidence may be in the form of rent or utility receipts, employment records, etc., or interviews with other persons having knowledge of the situation, summarized in the narrative record.
2. If county residence of the child at the time of application is governed by court wardship (Item 3 of Sec. 8), the record shall include an oral or written statement by the probation officer or a representative of the juvenile court giving the date the child was adjudged a ward of the juvenile court and the section of the law under which such action was taken.
3. If county residence of the child at the time of application is governed by his residence at the time of placement by a public agency in an institution or boarding home, (Item 5 of Sec. 8), the county's statement on the Statement of Non-County Residence, Form CA 234, Items 2 and 3, is sufficient.
4. If county residence of the child at the time of application is governed by his physical presence (Item 6 of Sec. 8), the narrative record shall include a statement of the person responsible for the care of the child or of any other person having knowledge of the child's physical presence, or a summary of records such as those of schools, churches, institutions, hospitals, welfare departments, etc., giving the date of last arrival in the county.

The original Form CA 234, Statement of Non-County Residence, shall be submitted to the State Department of Social Welfare with the Form CA 200, Application,

and Form CA 201, Certificate of Eligibility, for each non-county case. An exact copy shall be retained in the county case record.

If the parents are divorced and both of them are living, the award of custody in the divorce decree shall be verified in order to determine the residence of the child. Divorce may be verified by a review of documents in the applicant's possession or by review of the official records of the court in which it was granted, summarized in the case record, or by a letter from the court giving the required information.

SEC. 10 COUNTY RESPONSIBILITY IN TRANSFERRED APPLICATIONS

SEC. 10

If an application is forwarded by the county in which the child is living to the county of residence, the county in which the child is living shall obtain all available information regarding eligibility and submit it promptly to the county of residence. The county of residence shall then complete the investigation. (See Bulletin 373, Sec. 6, County of Application, and Sec. 7, Requirements for County Participation in Assistance Payments.)

If an application is denied by a county because the residence of the child changed before the first of the month in which the 90 days following the date of application expired, the county denying the application shall place the information gained in its investigation at the disposal of the second county if a new application is made. The denied application is not forwarded to the second county (see Bulletin 373, Sec. 6, County of Application).

If the residence of the child changed before the first of the month in which the 90 days following the date of application expired, and without knowledge of that change the county grants assistance, payments on a non-county basis shall continue until the earliest date agreeable with the county of residence for transfer, on which date the county of residence shall grant non-county assistance.

The application shall not be transferred if the residence of the child changed after the first of the month in which the 90 days following the date of application expired. The investigation of the application shall be completed and assistance granted if the child is eligible. Assistance shall be granted on a regular basis or on a non-county basis in accordance with residence status as of the first of the month in which assistance was to be effective. Thereafter, transfer shall be made in accordance with usual procedures.

SEC. 11 PROCEDURE FOR INTER-COUNTY TRANSFERS

SEC. 11

If the person whose residence governs the child's residence moves to another county with the intent to make the second county his residence, or if a child whose residence is governed by physical presence moves to another county, the required one year of residence shall be presumed to start upon the date of removal from the first county unless the presumption is refuted by positive evidence by the second county and the date residence was established in the second county is determined.

If the basis for residence determination changes from one condition to another (e.g. from physical presence to legal guardian, from parent to court wardship, from agency placement to parent, etc.) and residence is thus changed to another county, the date on which the change in the basis occurred shall be considered the date on which the one year of required residence began in the new county of residence.

If a dispute arises between two counties regarding the beginning date of residence in a transfer case, the SDSW shall exercise full authority in weighing the evidence presented.

If the residence of a child receiving assistance is changed to another county, inter-county transfer arrangements shall be initiated as soon as possible to insure continued receipt of assistance.

1. The county granting assistance shall complete Section A of Form CA 215, Notification of Transfer, in quintuplicate. One copy shall be retained and four copies shall be sent to the new county of residence as soon as possible after it is known that residence is changed to another county. Upon initiating transfer procedure, the county granting assistance shall also furnish the new county of residence the following information, either in the form of a case transfer summary or through copies of forms or both.
 - a. Specific information regarding the new residence, including the date and reason for moving, if known.
 - b. A history of past agency contacts, including the date the last application was signed, the name and relationship of the applicant, the effective date on which assistance was granted, and a statement as to whether assistance payments are being made on a regular or non-county basis. If non-county, the date residence was established in the county granting assistance shall be shown.
 - c. List of the names, birthdates, and relationship to the child of all members of the family budget and others in the household. Also the names, addresses, and ages of parents and brothers and sisters not living in the home should be included.
 - d. Significant information regarding the family background including marital history, employment history, education and abilities, standard of living, household management and cultural or recreational interests or activities of the family.
 - e. Information regarding past health, current health, and plan of treatment, if any, of both children and parents.
 - f. Information regarding the family's social adjustment, both as a group and individually.
 - g. Statement of determination of eligibility for each factor considered including the basis of the determination. This statement shall include determination of state residence, deprivation of parental support or care, real and personal property and income, and, for children 16 to 18 years of age, school attendance. The original determination and any supplementary information which might have a bearing on current eligibility shall be described.
 - h. A copy of the Form CA 241, Budget Work Sheet, on which the current assistance payment is based.
 - i. A request for any specific information necessary to determine continuing eligibility or the amount of assistance.
2. When a transfer is initiated by forwarding four copies of Form CA 215 to the new county of residence, the county granting assistance shall also send Form CA 217, Notification of Change of County Residence, to the person whose residence determines the child's residence, unless the child's county residence is determined by his own physical presence, in which case the notification shall be sent to the person responsible for the child's care.

3. Upon receipt of Form CA 215, the new county of residence shall make a home call to determine the presence of the child or the person whose residence governs the child's residence in the county. The parent's or guardian's statement of the date of arrival in the county and his intent as to residence shall be secured. If the child's residence is governed by his physical presence, the statement of the person responsible for his care or other person having knowledge of the date of arrival shall be secured. Additional evidence of residence may be secured, with the parent's or guardian's knowledge, if the information obtained appears to be incomplete or inaccurate or there is conflicting information.

If it appears that a lapse of time occurred between the date of removal from the county granting assistance and the establishment of residence in the new county, the new county of residence shall obtain sufficient explanation or evidence to support or refute the presumption that the date for the acquisition of one year's residence started upon the date of removal from the county granting assistance.

The requirement of a home visit may be waived as set forth in Manual of Policies and Procedures Section 230-75, Home Visits During Investigation. In such cases an interview shall be held elsewhere and may be implemented by evidence secured through other sources. All pertinent factors of eligibility which may have changed shall be reviewed as in the annual reinvestigation.

The county of residence shall report to the county granting assistance regarding continuing eligibility and current needs. Changes in living conditions due to the move or other changes which might affect the assistance payment shall be reported.

The county of residence shall complete Section B of Form CA 215, showing the date residence was established, retain one copy and return three copies to the county granting assistance. If the new county of residence has evidence to refute the presumption that the date for the acquisition of one year's residence started upon the date of removal from the county granting assistance, the entry in Section B shall be that date which the county of residence established as the date residence began in the second county. The report to the county granting assistance shall give full detail of the determination of the date.

4. Upon receipt of the report and Form CA 215 with Section B completed the county granting assistance shall complete and sign Section C. One copy shall be retained, one shall be sent to the county of residence, and one to the SDSW. If there is disagreement as to the date residence was established in the new county of residence the date of transfer shall be settled by counties. If the counties can not reach an agreement, the matter shall be referred by either county to the SDSW for a decision or a county appeal shall be filed.
5. In all transfer cases Form CA 218, Notice of Effective Date of Transfer, shall be sent to the person whose residence determines the child's residence or, if the child's residence is determined by physical presence, to the person responsible for the child's care. If assistance is granted on a regular basis by the county initiating the transfer, Form CA 218 shall be sent not later than three months prior to the effective date of the transfer. In transfers of non-county cases Form CA 218 shall be sent immediately upon completion of the transfer arrangements.

6. The county of residence shall secure a new application to be retained in the county file (see Bulletin 373, Sec. 7, When Application is to be Taken) and complete Form CA 201, Certificate of Verification of Eligibility, in the same manner as for any new application and forward it to the SDSW not later than fifteen days after action by the board of supervisors. Form CA 234 is not required even though assistance is granted on a non-county basis. The summary letter from the county initiating the transfer may be accepted as evidence of eligibility unless there appears to be conflicting information or a change in the situation. In such cases, the new county of residence shall secure additional evidence as necessary.

If continuing eligibility exists, assistance shall begin in the county of residence on the first of the month following completion of one year's residence in that county regardless of the date the application is signed.

If the child's residence is changed to a third county prior to completion of one year's residence in the second county, the first county continues to be responsible for the payment of assistance on a regular basis until the end of the month following completion of one year from the date residence was established outside the first county and thereafter on a non-county basis until transfer to another county is completed. The first county shall notify the third county of the change in county residence and request the second county to forward to the third county the summary letter furnished the second county by the first county at the time transfer arrangements were made with the second county. The first county shall make transfer arrangements with the third county and, if possible, the third county shall grant assistance on a non-county basis effective the first of the month following completion of one year from the date residence was established outside the first county. If non-county assistance is to be granted by the third county, evidence shall be secured to substantiate the date residence was established in the third county and the date residence was established outside the first county as in Item 3 above.

If it is administratively impossible for the third county to secure an application and to grant assistance effective the first of the month following completion of one year from the date residence was established outside the first county, the first county shall arrange with the third county a discontinuance date which will permit continued payment of assistance. To substantiate the first county's adjustment in claims from a regular basis to a non-county basis, the first county shall submit to the SDSW the completed Form CA 215 between the first and third counties.

If the person whose residence governs residence of a child moves to a second county with intent to reside and then returns after an absence of less than one year to the first county with intent to remain, his residence in the first county shall not be deemed to have been interrupted and assistance shall be continued by the first county on a regular basis. However, if assistance has been discontinued because of ineligibility during the period of absence from the first county, assistance is paid on a non-county basis until the required period of county residence is again completed in the first county.

The first county shall notify the SDSW by letter if the transfer arrangements are canceled for reason other than discontinuance of assistance, giving the reason for cancellation. If assistance is discontinued before the transfer becomes effective, notification by letter is unnecessary as the Notice of Change reporting the discontinuance is sufficient.

If assistance in the first county is paid on a regular basis for part of a family group, pending acquisition of one year of residence in a second county, and restoration for a child in the family is made on a non-county basis by the first county, a Notice of Change, Form CA 232, shall be submitted to the SDSW.

If the mother or guardian governing the residence of child receiving assistance marries a resident of another county she assumes her husband's residence as of the date of marriage. Arrangements shall be made by the counties concerned for an inter-county transfer of assistance as soon as the marriage is known, to be effective when one year of residence in the county of husband's residence has been acquired by the woman, or if a non-county case, as soon as transfer arrangements can be completed. (See Section 2, Definition of Residence, Section 7, Requirements for County Participation in Assistance Payments, and Bulletin 373, Sec. 6, County of Application.)

NOTIFICATION OF TRANSFER

AID TO NEEDY CHILDREN

Date _____

(A) To _____ FROM _____
County of second residence County of first residence

This is to notify you that a change in residence has taken place for

_____ *et al.*, _____ who have been receiving
Name of children State number
 Aid to Needy Children in the amount of \$ _____ per month paid through _____
Total County of first residence

(Fill in applicable statement, either or both)

1. _____, _____ under Section 1526 (_____)
Person determining residence of children Relationship
 moved from County of _____ governing _____ to County of _____
 on _____ 19____, and is living at _____
Address in second county

2. Children moved from County of _____ to County of _____
 on _____ 19____, and are being cared for by _____
Relationship to children
 living at _____
Address in second county

[SIGNATURE OF COUNTY WORKER]
 FIRST COUNTY

Date _____

(B) To _____ FROM _____
County of first residence County of second residence

This is to certify that according to investigation we have been able to make to date, it was found that county residence for _____ *et al.*, State No. _____ was established

in _____ on _____ (Affidavit Form CA 216 attached);
County of second residence Date residence established second county

that need has continued and it is recommended that Aid to Needy Children continue in the amount of \$ _____
Total

The date for beginning payment of Aid to Needy Children by _____
County of second residence

will be _____ if the children are otherwise eligible.

First day of the first month subsequent to completion of one year of residence unless a residence of one year is completed on the first day of the month in which case payment will begin on that date

[SIGNATURE OF COUNTY WORKER]
 SECOND COUNTY

Date _____

(C) To _____ FROM _____
County of second residence County of first residence

This is to notify you that Aid to Needy Children will continue in the amount of \$ _____
Total

to _____ *et al.*, _____
Name of children Address

The date for discontinuance of Aid to Needy Children in first county will be _____
Last day of the month in which one year of residence will have been completed

if they continue to be eligible.

[SIGNATURE OF COUNTY WORKER]
 FIRST COUNTY

DIRECTIONS FOR HANDLING NOTIFICATIONS OF TRANSFER

First county fills in Section A on 5 copies of Form CA 215, retaining 1 copy and sending 4 to the second county. Second county fills in Section B, retaining 1 copy and returning 3 to the first county. First county fills in Section C, retaining 1 copy, sending 1 copy to the State Department of Social Welfare, and returning 1 to the second county, with certified copies of original application and supporting documents.

NOTIFICATION OF CHANGE OF COUNTY RESIDENCE

County

County No.

State No.

Date

Name

Address

We have advised County that you have moved to that county with the intent to make it your future home. Within the near future a representative of the County Welfare Department where you are now living will communicate with you.

..... payments will be made from this county for
(Indicate type of aid)
a temporary period and thereafter, if you remain eligible, they will be paid through the county in which you are now living.

It is our desire that aid shall be received continuously and without interruption so long as you remain eligible. Your cooperation is necessary, however, in order that this may be possible. The county which issues a monthly warrant to you must be kept informed of all changes in your address. Should circumstances make it necessary for you to move to a new address before payment of aid is assumed by the county in which you are now living, please notify this department as well as the County Welfare Department where you are now living before you move. Any oversight on your part in notifying proper authorities may result in a delay or interruption in your aid.

In accordance with your sworn statement on your signed application, we urge you to discuss promptly with your local County Welfare Department, any changes in your circumstances or financial condition. This will include reporting of purchase or sale of real or personal property, and any changes in your income from property, responsible relatives, earnings, or any other source. It also includes reporting of changes in your need.

NOTE: THIS IS A COPY OF A PRINTED FORM AVAILABLE
ON ORDER FROM THE SDSW.

NOTICE OF EFFECTIVE DATE OF TRANSFER

County_____

County No._____

State No._____

Date_____

NAME_____

ADDRESS_____

In accordance with our records, responsibility for payment of your aid will
be assumed by the County of _____ on _____, 19____.

The County of _____ will discontinue your _____
(Indicate Type of Aid)
on _____, 19_____.

If you have any questions, we suggest that you get in touch with the County
Welfare Department in the county where you are now living.

NOTE: THIS IS A COPY OF A PRINTED FORM AVAILABLE
ON ORDER FROM THE SDSW.

Form CA 234, Statement of Non-County Residence, is required for non-county cases only. It is a statement of the county's determination of the child's county residence at the time of application and during the year immediately preceding the date residence began in the county of application and includes the basis of the determination.

The items on the form shall be completed as follows:

Item 1. Full Name of Child(ren) - Enter the first and last name of each child. Include all children in one family whose residence is determined by the same set of facts.

Item 1. County of Application - Enter county of application.

Item 1. Subdivision of Section 1526 of the Welfare and Institutions Code - Enter the subdivision of W&IC 1526 the conditions of which govern the child's residence. See Sec. _____, Definition of County Residence.

Item 2. The counties of child's residence and the basis for determining the child's residence during the past year immediately preceding date residence began in county of application - Enter in this item each change in the basis for determining residence even though the county of residence remains the same.

County of Child's Residence - Enter in this column each county in which the child had residence.

Period of Child's County Residence - Enter opposite each county entered in the column headed "County of Child's Residence" the date residence began and terminated in that county.

Basis for Determining Child's Residence, Subdivision Section 1526 - Enter opposite each county the subdivision of W&IC 1526 which specifies the conditions which govern the child's residence in that county.

Basis for Determining Child's Residence, Reason - Enter opposite each county the reason the specified subdivision of W&IC 1526 governed the child's residence in that county.

Item 3. Other Pertinent Information - Enter other pertinent information which may be necessary to clarify the non-county status in some cases. Explain in this item any inconsistencies with Form CA 204, Affidavit of County Residence, especially in those cases in which the person whose residence governed the child's residence had no intent to reside in the counties in which he sojourned during the year preceding application. If the child's residence is governed by his residence at the time of placement in an institution or boarding home by a public agency, indicate in this item the date of placement of the child, whether the child is placed in a boarding home or in an institution, and the name of the agency making the placement and the source of the information. (For definition of a boarding home see Item 5 of Sec. 8)

STATEMENT OF NON-COUNTY RESIDENCE

Aid to Needy Children

NOTE: THIS IS A COPY OF A PRINTED FORM AVAILABLE ON ORDER FROM THE SDSW.

1. The residence of _____ in _____ County
Full name of child(ren) County of application
 is determined at the present by the provisions of Subdivision _____
a, b, c, e, or f
 of Section 1526 of the Welfare and Institutions Code.

2. The counties of child's residence and the basis for determining the child's residence during the past year immediately preceding date residence began in county of application were as follows:

| COUNTY OF CHILD'S RESIDENCE | PERIOD OF CHILD'S COUNTY RESIDENCE | BASIS FOR DETERMINING CHILD'S RESIDENCE | |
|--------------------------------|---------------------------------------|--|--------|
| | | Subdivision Section 1526 | Reason |
| ----- | -----to----- | ----- | ----- |
| ----- | -----to----- | ----- | ----- |
| ----- | -----to----- | ----- | ----- |
| ----- | -----to----- | ----- | ----- |
| ----- | -----to----- | ----- | ----- |

3. Indicate other pertinent information if it is necessary to clarify the non-county status in an individual case.

Signature of County Worker -----

Date-----

THIS FORM OR A CERTIFIED COPY THEREOF SHALL BE SUBMITTED TO THE STATE DEPARTMENT OF
 SOCIAL WELFARE WITH THE APPLICATION FOR NON-COUNTY AID

Title 22, Ch. 7

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
November 28, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

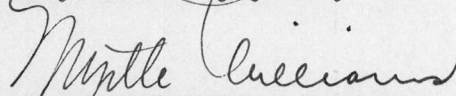
Dear Mr. Jordan:

Attached are three copies of the regulations issued by the State Department of Social Welfare with Adoption Manual Letter No. 18.

These regulations were adopted by the State Social Welfare Board on November 21, 1949, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103, and are being filed in accordance with Section 11380 of the Government Code.

These regulations were adopted by the State Social Welfare Board to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

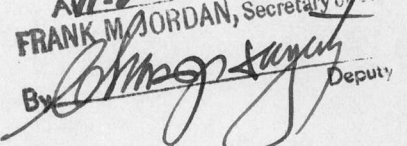
Very sincerely yours,



MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

FILED
In the office of the Secretary of State
of the State of California

NOV 29 1949
11:20 a.m.
FRANK M. JORDAN, Secretary of State
By  Deputy

Ce fied as a Regulation (or
Regulations) of the

Dept of Social Welfare

(Name of State Agency)

Myrtle Williams

(Signature)

Director

(Title)

11-28-49

(Date)

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
November 25, 1949

ADOPTION MANUAL LETTER NO. 18

The attached revision numbered 103 is to be entered in your copy of the Adoption Manual and the revision number canceled on the inside of the Manual cover.

This revision was adopted by the Social Welfare Board on November 21, 1949, and is to be effective December 1, 1949.

Sec. 2225-00 as revised provides that if a child has been relinquished by his parents to an authorized agency in another jurisdiction, a written statement should be obtained from the agency which accepted the relinquishment certifying that the relinquishment was executed in accordance with the laws of the jurisdiction and giving its approval to the adoption. The relinquishment and the agency's certification shall be submitted with the court report in lieu of the parents' consent to the adoption by the petitioners.

FILED

In the office of the Secretary of State
of the State of California

NOV 29 1949

At 11:15 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By  Deputy

A. Consent

1. In every adoption where the parents' consent is necessary, either independent or stepparent, the consent must be on a form prescribed by the SDSW, except when an agency licensed by the SDSW is a party to the adoption. (Secs. 224m, 227, Civil Code)
2. The SDSW provides separate forms for stepparent adoptions, for independent adoptions, for use of parents residing in California, and for parents residing outside California.
3. The SDSW or county adoption agency may furnish the attorney with forms for use outside California, but the preferred procedure is for the SDSW or county adoption agency to secure such consents. It will accept a consent of a non-resident parent on a form other than that issued by the SDSW when the consent is properly executed and covers all essential points.

B. Relinquishment

1. There is no provision in the law regarding the form of the relinquishment which must be executed by the parent surrendering a child to an agency. Forms for use by adoption agencies are therefore prescribed by the SDSW.
2. When the parent resides outside the state at the time of relinquishing the child to an adoption agency in California, the relinquishment may be signed before a notary on a form prescribed by the SDSW and previously signed by an authorized official of the agency signifying the willingness of the agency to accept the relinquishment. (Sec. 224m of the Civil Code)
3. The parent may sign a relinquishment of a child to a county adoption agency in California while in another county. Such relinquishment may be signed before a representative of the SDSW or an adoption agency licensed by the SDSW on a form previously signed by an authorized official of the agency accepting the child, signifying its willingness to accept the relinquishment.

2225-00 CONSENT OF SDSW OR ADOPTION AGENCY

2225-00

A. In an Independent Adoption

1. In all cases in which the consent of the natural parent or parents is not necessary, the SDSW or county adoption agency shall, prior to the hearing of the petition, file its consent to the adoption with the clerk of the Superior Court of the county in which the petition is filed. (Sec. 226, paragraph 4, Civil Code)

If the parent or parents whose consents are necessary die after signing consent but before the adoption hearing, the consent of the SDSW or county adoption agency will be necessary. The consent of the parent or parents may be filed with the court report as evidence of the parents' wishes, but the adoption cannot be granted legally on the basis of the parents' consent alone. See Sec. 2105-00 for procedure on filing the report.

2. If the father or mother of a child to be adopted is outside the State of California, his or her consent may be signed before a notary and in such case the consent of the SDSW will also be necessary. (Sec. 226, paragraph 8, Civil Code)
3. If the child has been relinquished by his parents to an authorized agency in another jurisdiction, a written statement should be obtained from the agency which accepted the relinquishment certifying that the relinquishment was executed in accordance with the laws of the jurisdiction and giving its approval to the adoption (Form Adop M76). The relinquishment and the agency's certification shall be submitted with the court report in lieu of the parents' consent to the adoption by the petitioners.

B. In an Agency Adoption (Relinquishment)

If the child has been relinquished to a licensed adoption agency in California and placed by it, the agency must join in the petition for adoption and consent to the adoption. The consent may be included in the allegations of the petition. (See Form for Petition in Agency Adoption)

2230-00 CONSENTS NOT REQUIRED

2230-00

Although there is no legal requirement that consents shall be obtained from the following persons or agencies, it is desirable that they be interviewed and that a statement of their attitude towards the adoption be obtained:

1. The guardian of the person or of the estate of the child
2. The Juvenile Court when the child is a ward of the court
3. The children of the petitioners

In determining the suitability of the adoptive home consideration should be given to the attitudes of the prospective brothers and sisters and their acceptance of a new member to the family group and to the expressed opinion or reaction of the child or children fourteen years of age and over.

MAIN OFFICE
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616 K STREET
14

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145 SOUTH SPRING STREET
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SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
November 30, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

My dear Mr. Jordan:

Attached are three copies of Department Bulletin No. 373-B issued by the State Department of Social Welfare which is being filed in accordance with Section 11380 of the Government Code.

The regulations contained in the bulletin were approved by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code, Section 103, on November 21, 1949.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

ENDORSED
FILED

in the office of the Secretary of State
of the State of California

DEC - 1 1949

At _____ o'clock _____ M.

FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Deputy

468:b5
Attachments

Very sincerely yours,

Myrtle Williams
MYRTLE WILLIAMS, Director
Department of Social Welfare

Tit 10 22, Ch. 1

Certified a Regulation (or
Regulations of the

Dept of Social Welfare
(Name of State Agency)

Myrtle Williams
(Signature)

Director
(Title)

11-30-49
(Date)

121-12 MYRTLE WILLIAMS 1617, 2328-2350
DirectorSTATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
November 28, 1949

DEPARTMENT BULLETIN NO. 373-B (ANC)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
LOS ANGELES JUVENILE COURT
SAN FRANCISCO JUVENILE COURTSubject: Unborn Children Included in
ANC Program--Children of
Parents Serving in Armed
Forces Excluded

In accordance with action taken by the Social Welfare Board on November 21, 1949, the following provisions appearing in Department Bulletin 373 are hereby cancelled:

That portion of line seven in paragraph two of Section 20 on page 13 which reads: "or is serving in the armed forces."

Point 7 in the middle of page 13 (Section 20) which reads: "7. A parent is serving in the armed forces."

Also all provisions relating to the "unborn child" in Department Bulletin 373 are restored effective October 1, 1949.

In summary, therefore

1. Department Bulletin 373-A is cancelled and superseded by Department Bulletin 373-B.
2. A parent serving in the armed forces is not considered a parent within the meaning of the ANC laws.
3. An unborn child is considered a child under the ANC program.

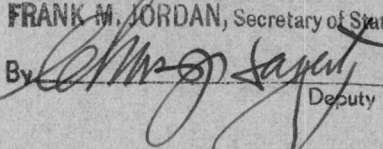
FILED

in the office of the Secretary of State
of the State of California

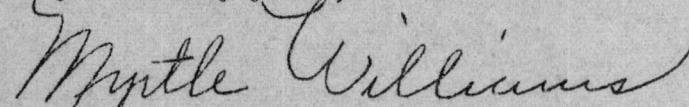
DEC 1 1949

At 11:20 o'clock a.m.

FRANK M. JORDAN, Secretary of State

By  Deputy

Very sincerely yours,


MYRTLE WILLIAMS, Director
Department of Social Welfare

Title 22 Ch.

MAIN OFFICE
SACRAMENTO
616 K STREET
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LOS ANGELES OFFICE
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145 SOUTH SPRING STREET
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SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
December 2, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED

Office of the Secretary of State
of the State of California

DEC 2 1949

AL 3:31 pm
FRANK M. JORDAN

By *[Signature]*

Dear Mr. Jordan:

Attached are three copies of the regulations issued
by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 372A (OAS, SB)

These regulations were issued by the State Department
of Social Welfare pursuant to the powers conferred upon it by
the Welfare and Institutions Code under Section 114b, and are
being filed in accordance with Section 11380 of the Government
Code.

These regulations are to be effective immediately upon
filing with the Secretary of State, since this has been found
necessary for the immediate preservation of the public peace,
health and safety or general welfare and that notice and public
procedure thereon are impracticable, unnecessary or contrary to
the public interest.

Very sincerely yours,

Myrtle Williams
MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

Certified as a Regulation
Regulations) of the

Dept of Social Services
(Name of State Agency)

Mary E. Williams
(Signature)

Director
(Title)

12-2-49
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
November 29, 1949

FILED

Office of the Secretary of State
of the State of California

DEC 1 2 1949

AL 339
FRANK M. JORDAN
By _____

DEPARTMENT BULLETIN NO. 372A (OAS, SB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Payments to Counties for
Institutional Care of Former
Recipients of OAS and SB

Under the provisions of Chapter 1016, Statutes of 1949 (Assembly Bill 1879) Section 2160.7 and 3044.1 of the Welfare and Institutions Code were amended effective October 1, 1949, to provide a flat monthly subvention of \$27.50 instead of the State's share of the OAS or SB grant to the individual as heretofore. Therefore, effective with claims for months subsequent to September 30, 1949, counties may claim subvention for all former recipients of OAS and SB (including the 63 - 64 age group in OAS) who are confined in a county institution for medical, hospital or infirmary care and who meet the following conditions:

1. The individual was eligible to and receiving security on the date of admission to the county institution.
2. The individual is in the institution at county expense, has been continuously confined in the institution and two calendar months have elapsed since his admission. (Subvention is not payable for the first two calendar months of confinement. Thereafter it is payable at the rate of \$27.50 for each month or portion of month the former recipient is confined.)
3. There is on file in the county the certification of the superintendent or other official of the institution that the former recipient received care in the institution during each month for which a claim is filed.

Former recipients who entered county institutions prior to October 1, 1949, and who did not meet the eligibility requirements for subvention in effect prior to October 1949 may be included in the subvention claim as of October 1, 1949, provided they have been continuously confined in the institution and meet all the conditions set forth above.

Subvention shall be claimed by the county rendering the care in its hospital or infirmary irrespective of the former recipient's residence status except when such care is being given under a contractual arrangement between two counties in which case the county paying for the care rendered shall claim.

County institutional subvention may not be claimed for recipients of APSB who are confined in county institutions.

[illegible][illegible][illegible]

1* The information was provided to the Department of Justice on the day of

THESE ARE THE FOLLOWING CONDITIONS:

1. The applicant must be a citizen of the United States or a resident of the United States for at least five years.

2. The applicant must be at least 21 years of age at the time of application.

3. The applicant must be of sound mind and body.

4. The applicant must have a good moral character.

5. The applicant must have a sufficient knowledge of the English language.

6. The applicant must have a sufficient knowledge of the history and government of the United States.

7. The applicant must have a sufficient knowledge of the principles of the Constitution of the United States.

8. The applicant must have a sufficient knowledge of the principles of the Declaration of Independence.

9. The applicant must have a sufficient knowledge of the principles of the Bill of Rights.

10. The applicant must have a sufficient knowledge of the principles of the Federal Reserve Act.

11. The applicant must have a sufficient knowledge of the principles of the National Bank Act.

12. The applicant must have a sufficient knowledge of the principles of the National Currency Act.

13. The applicant must have a sufficient knowledge of the principles of the National Debt Act.

14. The applicant must have a sufficient knowledge of the principles of the National Tax Act.

15. The applicant must have a sufficient knowledge of the principles of the National Labor Act.

16. The applicant must have a sufficient knowledge of the principles of the National Labor Relations Act.

17. The applicant must have a sufficient knowledge of the principles of the National Labor Disputes Act.

18. The applicant must have a sufficient knowledge of the principles of the National Labor Disputes Act.

19. The applicant must have a sufficient knowledge of the principles of the National Labor Disputes Act.

20. The applicant must have a sufficient knowledge of the principles of the National Labor Disputes Act.

Headquarters of the
 Government of
 Lithuania to

MERRILL CHILGER - FORM
 CAROL VODICEK
 GEORGE KENNEDY DEVEREAUX
 LO: CAROL BOYCE DE BOULLEFORD

TELEPHONING DIRECTOR IN 1954 (PAGES 100)

CASAPOL LA TON
STATIONER
NEW YORK

DEPARTMENT OF ROCKET/RESEARCH
STATE OF CALIFORNIA

1990

Procedure for Filing Claim

The procedure for filing claims as outlined in Bulletin 372, pages 4 and 5, is revised effective October 1, 1949, as follows:

Only one claim for each calendar quarter shall be filed with the SDSW Central Office, 616 K Street, Sacramento, for each program, OAS or SB.

The quarterly claim shall be submitted in duplicate and shall indicate by an "X" in the proper column on Form AB 801 H (revised November 1949) each month for which subvention is being claimed for each former recipient. The total number of persons shown for each month on Form AB 801 H (revised November 1949) is carried forward to the Affidavit, Form AB 800 H (revised November 1949), on which the total amount of subvention claimed is computed. Samples of the new forms are attached.

Supplemental claims for months subsequent to September 30, 1949, shall be listed at the end of the claim for the current quarter, and the month(s) for which each claim is made shall be clearly indicated. The number of persons on the supplemental claims shall be added separately on the claim, Form AB 801 H (revised November 1949) and carried forward to the Affidavit, Form AB 800 H (revised November 1949) in Item 5.

Exception: Supplemental claims for months prior to October 1, 1949, shall be submitted separately on Forms AB 800 H and AB 801 H, revised July 1948. The procedure for filing claims as outlined in Bulletin 372, page 4, shall be followed in filing these claims, and the month(s) for which each claim is made shall be clearly indicated.

Supplies of the new forms AB 800 H and AB 801 H, revised November 1949, are now available to the counties upon request to the State Department of Social Welfare, 616 K Street, Sacramento. The old Form AB 801 H, revised July 1948, may be used until supplies are depleted; however, all claims should be compiled in accordance with the procedure as prescribed in this bulletin.

Counties Administering Security Programs Under Contract with the SDSW

Counties which are administering the OAS and SB programs under contract with the SDSW should follow procedures already established in the county for the preparation of institutional subvention claims. For instance, if it has been the plan for the county welfare department to prepare the claims and send them to the auditor and board of supervisors for certification, this plan may continue; or, if the county auditor has prepared the claim on the basis of information submitted by the county welfare department, this plan may continue. In other words, no change in county procedure is necessary.

Counties Whose Contracts with the SDSW Have Been Terminated

Counties whose contracts have been terminated and are no longer administering the OAS and SB programs should secure from the appropriate SDSW district office the information necessary for the preparation of the institutional subvention claim. It shall be the county's responsibility to determine that the individual was receiving care in the county institution during the month(s) for which subvention is being claimed.

FILED

In the office of the Secretary of State
of the State of California

DEC 2 1949

At 3:39 o'clock P. M.
FRANK M. JORDAN, Secretary of State

By *[Signature]* Deputy

Instructions to District Offices

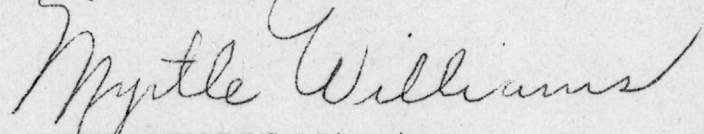
District offices of the SDSW shall secure from the superintendent or other official of the county institutions within the district a notification as to the dates of admission and discharge of recipients of OAS and SB. When a recipient's confinement continues for two calendar months and the security payment is discontinued, the district office shall notify the county auditor that subvention may be claimed. Form AB 717, Notice to Claim or Discontinue Institutional Subvention, prepared in triplicate, shall be used for this purpose. (See sample attached.) Part 1 of the form shall be completed for each hospitalized recipient as security is discontinued. The original shall be sent to the appropriate county auditor and the duplicate to the Central Office, 616 K Street, Sacramento. The remaining copy of Form AB 717 shall be retained in the district file. When security is restored, the district office shall complete Part 2 of the form, in triplicate, sending the original and duplicate copies to the county auditor and the Central Office as notification of the date subvention is to terminate, and retain the third copy.

In all instances, it shall be the county's responsibility to determine that the individual received care in a county institution during each month for which subvention is claimed and the county shall cease to claim after the end of the month in which the former recipient dies or leaves the institution. The submission of information to county auditors on Form AB 717, Notice to Claim or Discontinue Institutional Subvention, is a service to the counties. Should errors occur district offices shall issue corrected notices and the counties are to adjust their subvention claims to the State accordingly. The responsibility for correct claiming rests with the counties, and the SDSW is not responsible for errors in claiming due to errors on Form AB 717.

The SDSW Central Office will make an office audit of all county institutional subvention claims prior to certification to the State Controller, utilizing as a basis the information provided in Parts 1 and 2 of Form AB 717 received from the district office, as well as other data in the Central Office files. Claims certified to the State Controller for payment are subject to field audit adjustments developed through verification of hospital admissions and discharges.

All provisions of Section 165-00 of the Manual of Policies and Procedures still apply. Manual Sections 165-15 and 627-25 are superseded by this bulletin.

Very sincerely yours,



MYRTLE WILLIAMS, Director
Department of Social Welfare

FILED

Attachments

In the office of the Secretary of State
of the State of California

DEC 2 1949

At 3:39 o'clock *P* M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

NOTICE TO CLAIM OR DISCONTINUE INSTITUTIONAL SUBVENTION

To: County Auditor

State No. _____

Name _____

PART I - NOTICE TO CLAIM FOR SUBVENTION

The above-named person was a recipient of

☐

Old Age Security

☐

Security for the Blind

at the time of admission to _____ on
(Name of Institution)

(Date)

Security was discontinued _____, _____ County
(Date)

is entitled to claim institutional subvention beginning _____.
(Date)

STATE DEPARTMENT OF SOCIAL WELFARE

DISTRICT

By _____

Date _____

PART II - NOTICE TO DISCONTINUE CLAIM FOR SUBVENTION

The above-named former recipient of

☐

Old Age Security

☐

Security for the Blind

for whom you were entitled to claim institutional subvention has been restored to
Security effective _____. Claim for subvention should be
(Date)

terminated as of _____.
(Date)

STATE DEPARTMENT OF SOCIAL WELFARE

DISTRICT

By _____

Date _____

For County Auditor

State No.

Name

PART I - NOTICE TO GAIN FOR SUBVENTION

Old Age Security ☐

Security for the Blind ☐

The above-named person was a recipient of

at the time of admission to

(Name of Institution)

(Date)

Security was discontinued

(Date)

is entitled to claim institutional subvention beginning

(Date)

STATE DEPARTMENT OF SOCIAL WELFARE

DISTRICT

By

Date

PART II - NOTICE TO DISCONTINUE CLAIM FOR SUBVENTION

Old Age Security ☐

Security for the Blind ☐

The above-named former recipient of

for whom you were entitled to claim institutional subvention

In the office of the Secretary of State
of the State of California

DEC 2 1949

At 3:39 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *John J. Sayre* Deputy

FROM _____ COUNTY

STATE SUBVENTION FOR
CARE OF FORMER _____ RECIPIENTS IN COUNTY INSTITUTIONS
(AS PROVIDED UNDER SECTION 2160.7/3044.1 OF THE WELFARE AND INSTITUTIONS CODE)FOR QUARTER ENDING _____, 19 _____ FISCAL YEAR
STATE USE ONLY

1. TOTAL FOR 1ST MONTH (_____ x \$27.50).....\$ _____
NO. PERSONS IN COL. 3, FORM AB 801-H
2. TOTAL FOR 2ND MONTH (_____ x \$27.50).....\$ _____
NO. PERSONS IN COL. 4, FORM AB 801-H
3. TOTAL FOR 3RD MONTH (_____ x \$27.50).....\$ _____
NO. PERSONS IN COL. 5, FORM AB 801-H
4. TOTAL CLAIMED FOR CURRENT QUARTER (TOTAL ITEMS 1, 2, 3).....\$ _____
5. TOTAL CLAIMED FOR PRIOR PERIODS (_____ x \$27.50).....\$ _____
NO. PERSONS IN ALL COLUMNS FORM AB 801-H FOR PRIOR PERIODS
6. TOTAL CLAIMED FOR CURRENT & PRIOR PERIODS (ITEM 4 PLUS ITEM 5).....\$ _____
7. TOTAL ADJUSTMENTS (COL. 8, FORM ABC 803).....\$ _____
8. DUE FROM STATE FUNDS (ITEM 6 LESS ITEM 7).....\$ _____

I HEREBY CERTIFY THAT THERE IS ON FILE IN THE COUNTY THE CERTIFICATION OF THE SUPERINTENDENT OR OTHER OFFICIAL OF THE INSTITUTION THAT EACH FORMER RECIPIENT RECEIVED CARE IN THE INSTITUTION DURING EACH MONTH FOR WHICH A CLAIM IS FILED AND THAT THE AMOUNTS CLAIMED ARE DUE AND OWING THE COUNTY FROM THE STATE OF CALIFORNIA UNDER SECTION 2160.7/3044.1 OF THE WELFARE AND INSTITUTIONS CODE.

SIGNATURE OF COUNTY AUDITOR

STATE OF CALIFORNIA, COUNTY OF _____)SS.

I, _____, BEING DULY SWORN, DEPOSE AND SAY: THAT I AM THE CHAIRMAN OF THE BOARD OF SUPERVISORS OF THE AFORESAID COUNTY, AND THAT THE AUTHORITIES OF THIS COUNTY HAVE COMPLIED WITH ALL PROVISIONS OF CHAPTER 1 OF DIVISION III OR CHAPTER I OF PART I OF DIVISION V OF THE WELFARE AND INSTITUTIONS CODE, AND AMENDMENTS THERETO, UNDER WHICH THIS CLAIM IS FILED, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY

OF _____, 19 _____

CHAIRMAN, BOARD OF SUPERVISORS

TITLE _____

FOR STATE USE ONLY

The above claim has been verified against supporting documentary evidence and subject to field audit is approved for payment.

Supervisor, Bureau of Claims Accounting

Date _____

| Claim Number | Date Released | Signature |
|--------------|---------------|-----------|
| | | |

FILED

In the office of the Secretary of State
of the State of California

DEC 2 1949

At 3:39 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *[Signature]* Deputy

(Section 2160.7/3044.1 of the Welfare and Institutions Code)

_____County

For Quarter Ending _____, 19____

INDICATE BY "X" IN COLUMNS 3, 4 & 5 EACH MONTH FOR WHICH CLAIM IS MADE

| INDICATE BY "X" IN COLUMNS 3, 4 & 5 EACH MONTH FOR WHICH CLAIM IS MADE | | | | | | |
|--|-------|--------|-----------|-----------|-----------|----------------|
| 1 | 2 | 3 | 4 | 5 | 6 | |
| NAME | STATE | | | | | |
| FAMILY | GIVEN | NUMBER | 1ST MONTH | 2ND MONTH | 3RD MONTH | STATE USE ONLY |
| | | | | | | |

FILED
 In the office of the Secretary of State
 of the State of California

DEC 2 1949

At 3:39 o'clock PM
FRANK M. JORDAN, Secretary of State

By [Signature] Deputy

TOTAL NUMBER PERSONS CLAIMED IN
 EACH OF COLUMNS 3, 4 & 5

FORM AB 801-H, Revised November 1949
 Claim to Accompany Affidavit
 (Form AB 800-H)

Page No. _____

FILED
In the office of the Secretary of State
of the State of California

DEC 2 1949

At 3:39 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Myrtle Williams
(Signature)

Director
(Title)

12-7-49
(Date)

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
December 7, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

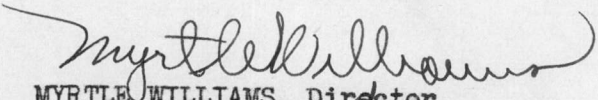
Attached are three copies of the following regulations which are being filed in accordance with Section 11380 of the Government Code.

DEPARTMENT BULLETIN NO. 382 (OAS) dated December 2, 1949

These regulations were issued on the above date by the Director of the State Department of Social Welfare under authority of Section 4 of Article XXV of the California Constitution.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,


MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

ENDORSED
FILED

In the office of the Secretary of State
of the State of California

DEC - 8 1949
At 3:24 o'clock P.M.

FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Deputy

Sec 4 art xxv

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14

December 2, 1949

FILED

In the office of the Secretary of State
of the State of California

DEC 8 1949

DEPARTMENT BULLETIN NO. 382 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

3:22 P M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: Old Age Security
Analysis of Eligibility

Article XXVIII (Proposition No. 2) re-enacts the provisions of the Welfare and Institutions Code as effective prior to January 1, 1949. Unless the State Legislature in a special session amends them, the former provisions of the Code will become effective on March 1, 1950. Since this will affect a substantial number of OAS recipients, it is necessary that all OAS cases be reviewed for the status of residence and personal and real property at once. By doing so, it will be possible to have ready all the necessary information prior to the date the changes in law become operative thus making it possible to close in an orderly and prompt fashion such cases as are ineligible under the new law. This review should be begun with the cases most recently granted then work backward through the case load.

For this review a worksheet entitled "OAS Eligibility Analysis" shall be used to record the pertinent facts relative to residence, personal property and real property. The worksheet shall be completed in duplicate, using the information in the case record. Although the Welfare and Institutions Code exempts certain items from consideration as personal property, it is not yet known just what changes will be required in the rulings governing such holdings. For that reason the Old Age Security Eligibility Analysis sheet calls for a recording of all assets, without regard to any existing exempt features. Thus when the specific eligibility requirements are known the Analysis sheets will provide a quick method of applying these rulings to individual cases.

If the last determination in the case record reveals that no further work needs to be done to establish state and county residence status; the recipient had no exempt insurance (life or burial), and no funds in a burial trust, and his other personal property was clearly less than \$600, file both the original and duplicate of the Analysis sheet in the case record. (Make a list of such cases as had any income from OASI so that they may be included in a signal file for later reference - see Item IV, Page 7.)

On all the other cases proceed as follows:

- a. If no further investigation is necessary to determine present value of personal property items, or state residence during the year prior to March 1, 1950, file the original copy of the Analysis Sheet in a Central Control file. File the duplicate in the case record.

- b. If further investigation is necessary to determine the present value of personal property items, or to determine state residence eligibility during the year prior to March 1, 1950, retain both copies of the Analysis Sheet until all necessary information has been secured. Take immediate action to secure the necessary information. As soon as secured amend both copies of the Analysis Sheet to conform to the results of the further investigation which has been made. Then send the original of the amended Analysis Sheet to be filed in the Central Control file. File the duplicate in the case record.

As soon as the specific rulings governing payments as of March 1, 1950, are known they will be relased. The original copies of the completed Analysis Sheets will then make possible a quick application to those cases which may be affected by them.

It will be the responsibility of the social worker, with any necessary help of his supervisor, to decide whether additional investigation could best be made by an interview with the recipient in his home or in the office, or by asking the latter to complete a mailed questionnaire. If the latter decision is made, the State Department of Social Welfare has prepared the attached questionnaire and an explanatory letter that may be used. If a questionnaire is used insert on the questionnaire the case number and district in the upper right hand corner and the name and address of the person to whom the questionnaire is to be returned, before it is mailed to the recipient. If needed information is already available in the case record except for one or two specific items a letter to the individual rather than the questionnaire may be desirable.

All items on the worksheet must be completed. If any of the items do not apply to the particular recipient's situation, the word "none" shall be entered opposite that item.

I. Real Property

Item "a" is related to the fact that under Article XXV the proceeds from voluntary sale of a recipient's home shall be considered as real property for a period of six months from the date the money was received. Any money (or security) which remains on 3/1/50 must be considered as personal property even though the six months period has not elapsed.

Completion of this item will help to identify those cases in which there has been a voluntary sale of the home and which require investigation regarding the amount of funds which remain from such sale and which must be recorded in Section II of the Analysis Sheet.

Item b Record the total net county assessed value of all real property which is owned. (If married this includes property owned by the spouse)

Item c It is desirable that this review identify those cases in which real property other than the home is owned. If real property is owned, even though the encumbrance may be such that there is no net county assessed value, complete Item c.

II. Personal Property

All personal property must be examined with the thought in mind that the Welfare and Institutions Code provisions prior to 1/1/49 may govern the determination of eligibility. The following material is presented to be used as a guide which will help flag those cases that will require investigation and action before the provisions of Article XXVII reinstating the Welfare and Institutions Code become operative.

A. Personal Property Limitation under Welfare and Institutions Code.

Beginning 3/1/50 (unless the Code provisions are amended) an applicant or recipient may have personal property holdings not to exceed \$600 after encumbrances of record have been deducted from the current value of the personal property.

Encumbrances include any debt for which personal property is security. The encumbrance must be evidenced by a written record the discharge of which requires the payment of money. Encumbrances include: chattel mortgages; loans, when all or a portion of the personal property is given as security for the loan; attachments for debts, taxes, etc. An unsecured debt is not an encumbrance to be deducted in determining personal property holdings.

B. Personal Property which shall be Included in the \$600 Personal Property Limitation.

Items of personal property which must be considered in the \$600 limitation specified in the Welfare and Institutions Code include the following:

1. Money - The amount on hand or in a safe deposit box (See Manual Section 143-35); in a bank or postal savings account (See Manual Section 143-37).

Exception: Money (if retained in cash or securities) received by a recipient from the forced sale of his home i.e., under condemnation proceedings, shall not be considered during the one year period subsequent to the date payment was received. There must be verification of the fact the property was sold under threat of eminent domain proceedings (See Manual Section 146-00).

Note: Under Article XXV money received from the voluntary sale of the home is considered real property for a period of six months from the date of receipt. Effective 3/1/50 any funds (cash or securities) which remain from voluntary sale of the home represent personal property even though a six months period may not have elapsed.

2. Stocks and bonds (including war bonds and government savings bonds). The current market value represents personal property. (See Manual Sections 143-55 and 143-57.)

Exception: Stock in a water company not appurtenant to the land when necessary to obtain water for agricultural purposes is considered real property. (See Manual Section 143-55)

3. Notes, Mortgages and Deeds of Trust

The current market value represents personal property. (See Manual Section 143-45)

4. Automobile and Other Motor Vehicles

The value of automobiles, trucks and other motor vehicles shall be determined on the basis of the vehicle license fee reported on the State Motor Vehicle Department registration card.

The registration card issued by the Motor Vehicle Department must be carried in every motor vehicle taxed by that department. On the registration card (white slip) for passenger cars is recorded the registration fee (\$6) and the "vehicle license fee" which varies in accordance with the value. The amount of the vehicle license fee appears in the space marked "VLF fee" on the line above the space provided for the signature of the legal owner.

The suggested questionnaire to be sent to recipients, as necessary, calls for the amount of the state tax rather than the motor vehicle license fee. Since the state tax includes a \$6 registration fee for all vehicles, deduct \$6 from the amount of tax reported on the questionnaire to determine the vehicle fee.

A schedule of the vehicle license fees and the values which they represent follows:

| <u>VLF</u> | <u>Value of Vehicles</u> | <u>VLF</u> | <u>Value of Vehicles</u> |
|------------|--------------------------|------------|--------------------------|
| \$1 | \$37 | \$13 | \$650 |
| 2 | 105 | 14 | 695 |
| 3 | 150 | 15 | 755 |
| 4 | 200 | 16 | 805 |
| 5 | 250 | 17 | 850 |
| 6 | 295 | 18 | 905 |
| 7 | 355 | 19 | 950 |
| 8 | 405 | 20 | 1000 |
| 9 | 450 | 21 | 1050 |
| 10 | 505 | 22 | 1095 |
| 11 | 550 | 23 | 1155 |
| 12 | 600 | 24 | 1205 |

Should it be necessary to determine the value of the motor vehicle for which the vehicle license is in excess of \$24, add to \$1205 that value in the foregoing table which is opposite the amount by which the vehicle tax exceeds \$24.

The foregoing table cannot be used to determine the value of new automobiles purchased within the current year. Likewise it cannot be used to determine the value of second hand cars previously registered in another state but bought by recipients during the current year. It is anticipated that such cases will be encountered infrequently. Should it become necessary to determine the market value under either circumstance notify the State Department of Social Welfare of the month within the current year in which the car was purchased and the amount of the vehicle license fee as shown on the white slip. The State Department of Social Welfare will then forward a statement of the market value to be used in determining eligibility.

5. Life Insurance Policies

Personal property includes the net cash surrender value of policies on the life of the applicant or recipient which have been in effect less than five years.

When the policy or policies of insurance on the life of the applicant or recipient have been in effect five years or more, the net cash surrender value of that portion of the insurance which exceeds a net maturity value of \$1000 shall be considered in determining the value of personal property holdings. (See Manual Section 143-83).

In the case of a married couple each is considered to have a one-half interest in the net cash surrender value of policies carried by either. Insurance on the life of an eligible or ineligible spouse is subject to the same exemption outlined in the paragraph immediately above; i.e., each of the couple is considered to have a one-half interest in the net cash surrender value of that portion of the insurance which exceeds a net maturity value of \$1000

6. Live Stock, Fowl and Farm Equipment

The current market value represents personal property (See Manual Section 143-77).

7. Commercial or Other Business Enterprise

Personal property includes the current market value of an interest in a business enterprise as represented by the stock on hand, fixtures and equipment, and "accounts receivable". (See Manual Section 143-60)

8. Personal Property Being Purchased or Sold Under Conditional Sales Contract.

If the property is being purchased, the market value of the purchaser's equity represents personal property except when the article being purchased represents a personal effect. (See Section C below). The purchaser's equity is the difference between the market value of the goods being purchased and the remainder due on the contract. (See Manual Section 144-00)

If the property is being sold under conditional sales contract the market value of the article being sold represents personal property. (See Manual Section 144-05)

C. Personal Property Not Included in the \$600 Personal Property Limitation Under Welfare and Institutions Code

1. Personal effects, which include clothing, household furniture and equipment, foodstuffs, fuel, jewelry and items of similar character except to the extent that its net value exceeds \$200.

2. Interment plots and money placed in trust or insurance for funeral or interment expenses when such money or insurance does not exceed \$500 in value. (See Manual Sections 143-83 and 144-08)
3. The cash surrender value on \$1000 of insurance on the life of the applicant or recipient when the policy or policies have been in effect five years or more.

Note: Recall that it is not yet known what changes may be required in the rulings governing holdings which under the present Welfare and Institutions Code provisions are held to be exempt from consideration in the \$600 limitation. For that reason the Analysis Sheet calls for a recording of all assets.

No provision is made on the Analysis Sheet for including life insurance in the total of all personal property owned when the policy has no cash surrender value. The face value of such insurance (up to a \$500 maximum) is counted in the \$1500 limitation under Article XXV because it represents a burial resource. However, any ruling on this point to be effective March 1, 1950, is uncertain and the data as listed in Item K on the Analysis Sheet for such policies will provide a basis for evaluating it when the specific ruling is known.

III. Residence

Item "a" relates to the fact that prior to January 1, 1949, the county participated in the grant if the applicant had residence of one year or more in the county. A person who had less than one year county residence was not ineligible if he met other eligibility requirements but the State reimbursed the county in full for the payments made until one year of county residence had been acquired.

Under Article XXV the period of county residence was not a factor to be considered. It is possible however that there will be recording in the case record for many cases which clearly shows that the recipient has been a resident of the county in which he is living at least since March 1, 1949. If so, check the county residence item as "Clearly Established". If the recording clearly shows that the recipient has been a resident of the county only from a date subsequent to March 1, 1949, or if there is no information whatever regarding county residence during the period since March 1, 1949, check "Questionable".

There will not be sufficient time between now and March 1, 1950, to secure residence verification for persons in the "Questionable" group. Therefore, this item on the schedule will serve as a signal for cases which require investigation as to county residence during the one year period prior to March 1, 1950. (One year of county residence is not an eligibility requirement insofar as security is concerned and no cases will be discontinued because of lack of county residence for one year prior to March 1, 1950. The determination as to such county residence is necessary in relation to the reimbursement which is to be made on payments to persons who lack one year of county residence.)

Item "b" is concerned with the fact that under the Welfare and Institutions Code an applicant must have one year of State residence immediately prior to

the date of application (in addition to four years of residence within the past nine). Insofar as this review of current cases is concerned there must be evidence of one year of State residence prior to March 1, 1950. Lacking such one year of State residence recipients become ineligible effective February 28, 1950.

If the period of State residence covered by the residence proof already on file for cases granted since January 1, 1949, includes the year immediately preceding application, no further verification is necessary. It is therefore necessary to review the evidence presently available in the case record. If that proof does not include the one year period immediately preceding application and if the recipient will have been receiving security for less than one year by March 1, 1950, it will be necessary to secure further proof covering the year immediately preceding that date. If California residence during that year cannot be verified, or if the evidence clearly indicates that the recipient has not been a resident of California during the one year preceding March 1, 1950, discontinuance action will be necessary.

State residence proof for persons whose security was granted prior to January 1, 1949, includes the one year preceding application, thus cases which were granted prior to that date need not be reviewed for State residence data.

IV. OASI Income

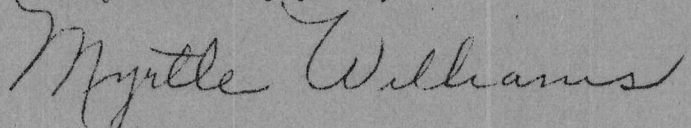
There is legislation before Congress which, if passed, will increase OASI payments effective from some future date. This item is therefore included on the schedule so that a signal file may be prepared of cases which may require a grant adjustment if and when OASI income is increased.

V. Discontinuance of Security

Any case which is found to be ineligible under the specific rulings to be announced in a later bulletin must be discontinued effective February 28, 1950.

The Old Age Security Analysis Schedule makes no reference to recipients in the 63 - 64 age group as provision for discontinuance of security to those who will not have reached the 65th birthday by March 1, 1950, is covered in another bulletin on that subject.

Very sincerely yours,



MYRTLE WILLIAMS, Director
Department of Social Welfare

Attachments

Note: An initial supply of mimeographed Form Temp 302, OAS Eligibility Analysis Sheet, will be forwarded on December 5. Printed copies will be available about December 9 and a supply of those will be forwarded immediately upon receipt from the State Printer.

A supply of the form letter and the questionnaire (Form Temp 303 Ag) will be forwarded about December 7, 1949.

OLD AGE SECURITY ELIGIBILITY ANALYSIS

CASE NUMBER _____

CASE NAME _____

I. REAL PROPERTY

- a. If a voluntary sale of home since 9/1/49, show amount received \$ _____
- b. What is the total net county assessed value of all real property? _____
- c. Is the home owned? YES ☐ NO ☐
- Is other real property owned? YES ☐ NO ☐

II. PERSONAL PROPERTYDate Last
Determined

Amount

- a.* ☐ Motor Vehicles: Value Based on Motor Vehicle Fee _____
- b.* ☐ Cash on Hand _____
- c.* ☐ Bank Accounts (Savings and Commercial) _____
- d.* ☐ Postal Savings Accounts _____
- e.* ☐ Bonds, including Government War or Savings Bonds _____
- f.* ☐ Stocks _____
- g.* ☐ Notes, Mortgages and Deeds of Trust _____
- h.* ☐ Other personal property (specify) _____
- i. ☐ Burial Insurance _____
- j. ☐ Burial Trust _____
- k. ☐ Life Insurance Policies: _____

On Recipient

| Date Last Determined | Company | Date Issued | Face Value | Cash Sur. Value | Loans | Net Cash Sur. Value |
|-------------------------|---------|----------------|---------------|--------------------|-------|------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

On Spouse

| Date Last Determined | Company | Date Issued | Face Value | Cash Sur. Value | Loans | Net Cash Sur. Value |
|-------------------------|---------|----------------|---------------|--------------------|-------|------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Total Net Cash Surrender Value \$ _____
(Recipient's Share)

TOTAL PERSONAL PROPERTY _____

* If this personal property is owned jointly with a spouse show recipient's 1/2 share.

III. RESIDENCE

- a. County Residence: Clearly Established _____ Questionable _____
- b. Will have State residence for the year prior to 3/1/50. YES ☐ NO ☐
- If yes, is there verification in case record? YES ☐ NO ☐

IV. Does the recipient receive income from OASI? YES ☐ NO ☐

Worker's Signature _____

Date _____

Dear Friend:

It is our desire that security payments be continued without interruption to persons who will remain eligible under the new law which will become effective March 1, 1950. As you know the passage of Proposition No. 2 at the November 8 election resulted in a number of changes in the law governing the payment of Old Age Security and Security for the Blind.

You can help us to insure continued security payments, if you remain eligible, by giving us information about the personal property you own at the present time. We can then determine quickly how the new law affects you and can avoid unnecessary delay in making your payments if you remain eligible when the new law becomes effective.

Attached is a list of different types of personal property. It may be that you own one or more of the items listed or you may own none of them. Please go down the list on the attached sheet and write in the value of any items of personal property you own. Write "none" on the line opposite any items which you do not own. When you have done so please sign the list, date it, and return it to the person whose name and address is shown on the attached sheet. An envelope is enclosed for your convenience in returning the list to us. It is important that you return the completed list as quickly as possible.

We do appreciate your help in assisting us and assure you that we are anxious to continue your security payments so long as you remain eligible to receive them.

Very sincerely yours,

DEPARTMENT OF SOCIAL WELFARE

By

Case No. _____

District _____

Name _____

Address _____

Please answer the following questions and mail this sheet immediately to:

Name

Address

If you own any of the following items of personal property with a husband or wife, list the value of your one half share only in the space provided for the item.

1. Do you own an automobile? _____. If yes, have you owned it less than one year? _____.
How much was the total amount of the last State tax on the automobile \$ _____.
(The amount of the State tax is shown on the white slip in your automobile.)
2. How much cash do you have on hand, or in a safe deposit box? _____
3. How much money do you have in bank accounts? \$ _____
4. How much money do you have in postal savings accounts? \$ _____
5. Do you own a burial insurance policy? _____. If yes, what is its face value? \$ _____
6. Do you have any money in a burial trust fund? _____. If yes, how much? \$ _____
7. Do you own any corporation stocks or bonds? _____. If yes, please list the name and the number of shares in the space below.

CompanyNumber of Shares

| <u>Company</u> | <u>Number of Shares</u> |
|----------------|-------------------------|
| _____ | _____ |
| _____ | _____ |

8. How many government war or savings bonds do you own? _____.
What is their total face value? \$ _____.
(It will help us if you can list the bonds on the back of this sheet and show for each the serial number, the date it was issued, and the amount of the bond.)
9. Do you hold any notes, mortgages or deeds of trust as security for money which is owed to you? _____. If yes, what is the amount of money still due you? \$ _____
10. Do you own any life insurance policies? _____. If yes, please list each policy in the space below:

| | | | |
|-----------------|--|--|--|
| Name of Company | | | |
| Date Issued | | | |
| Face Value | | | |
| Amount of Loans | | | |

(If there is not enough space above to list all of your policies, please write the information on the back of this sheet.)

Signature _____

Date _____

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
December 6, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

ENDORSED
FILED

in the office of the Secretary of State
of the State of California

DEC - 8 1949
At 3:22 o'clock P.M.

FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Deputy

Dear Mr. Jordan:

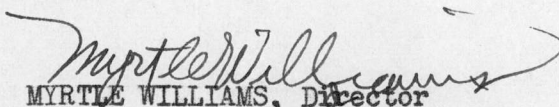
Attached are three copies of the following regulations which are being filed in accordance with Section 11380 of the Government Code.

DEPARTMENT BULLETIN NO. 378 (OAS,SB) dated
November 9, 1949
DEPARTMENT BULLETIN NO. 380 (OAS) dated
November 25, 1949
DEPARTMENT BULLETIN NO. 381 (OAS,SB) dated
November 25, 1949
DEPARTMENT BULLETIN NO. 383 (OAS) dated
December 5, 1949

These regulations were issued on the above date by the Director of the State Department of Social Welfare under authority of Section 4 of Article XXV of the California Constitution.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,


MYRTLE WILLIAMS, Director
Department of Social Welfare

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Myrtle Williams
(Signature) ²

Director
(Title)

12-6-49
(Date)

See 4. Act ***

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
November 9, 1949

DEPARTMENT BULLETIN NO. 378 (OAS, SB)

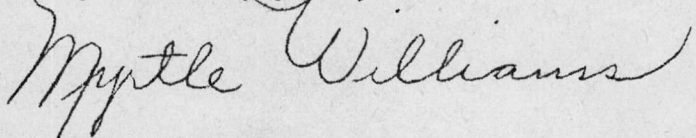
TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Assessed Valuation

The following policy is effective immediately:

"When anyone has been a recipient of Old Age Security or Security for the Blind prior to the raising of the assessment value of their property above the \$3500 maximum allowed, if the increased assessment is part of a general increase in the area of residence as part of total community taxing procedure, and if there have been no specific improvements or physical changes on the property to cause increased assessments, such increase in assessments value shall, in itself, not be grounds for ineligibility to continue to receive Old Age Security or Security for the Blind. This ruling applies only to property of residence and does not include vacant lots, income properties or other property."

Very sincerely yours,

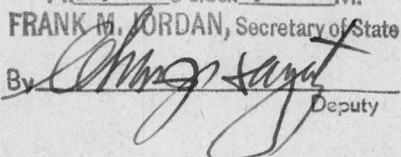


MYRTLE WILLIAMS, Director
Department of Social Welfare

FILED

In the office of the Secretary of State
of the State of California

DEC 8 1949

At 3:20 o'clock P M.
FRANK M. JORDAN, Secretary of State
By  Deputy

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Myrtle Williams
(Signature) 2

Director
(Title)

12-6-49
(Date)

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Maryle Williams
(Signature)

Director
(Title)

12-6-49
(Date)

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
November 25, 1949

Sec 4, Art XXV
FILED
In the office of the Secretary of State
of the State of California

DEC 8 1949

At 3:20 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By [Signature] Deputy

DEPARTMENT BULLETIN NO. 380 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: OAS - 65th Anniversary Date
Under Department Bulletin 365

In some local offices the age evidence of all OAS recipients presently receiving security in the "under 65" classification has already been reviewed and the 65th anniversary date established in accord with the provisions of Department Bulletin 365 issued May 13, 1949. If this has already been done for all current recipients under 65 years of age including those whose applications were granted in the early months of operation under Article XXV and before Bulletin 365 was issued, no further work needs to be done in this area. There must be assurance however that the 65th birth date control files reflect the anniversary date as determined under Bulletin 365.

Immediate review must be made in those local offices in which the age evidence of all OAS recipients currently receiving security in the "under 65" classification has not been reviewed and the 65th anniversary date established on the basis of Bulletin 365. When such review establishes an anniversary date which differs from that previously determined the new 65th anniversary date is to be recorded in red on the Certificate of Eligibility. Use the space under Item 1 (Birth Date). Also record the appropriate change in the 65th anniversary date control file so that it will reflect all cases which must be discontinued when Article XXVII (Proposition 2) becomes operative. The operative date will be either February 1, or March 1, 1950, depending upon the date the Secretary of State certifies the official vote. The exact date will be announced as soon as it is known.

It is essential that the review of age evidence and determination of the 65th birth date in accord with Bulletin 365 be completed well in advance of the operative date of Article XXVII. Otherwise there is danger that security will be discontinued for some persons eligible to receive it.

Until the operative date of Article XXVII applications of persons in the 63-64 age groups shall continue to be accepted.

Very sincerely yours,

[Signature: Myrtle Williams]
MYRTLE WILLIAMS, Director
Department of Social Welfare

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
November 25, 1949

See 4, art. XXV
FILED
In the office of the Secretary of State
of the State of California

DEC 8 1949

DEPARTMENT BULLETIN NO. 381 (OAS, SB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

3:24 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: Cessation of Transfer
Procedure OAS - SB

With the exception of five counties which continue to operate the OAS and SB programs under contract with the State Department of Social Welfare and the State Controller there are various administrative patterns in existence. In some counties there is complete state administration; in others disbursements are made by the State Controller but the administration is through the county welfare departments; while in others the county auditor continues to make the disbursements but the administration is through district offices of the State Department of Social Welfare. Because of the administrative difficulties involved in transfer of responsibility for payment of security between offices now operating under various administrative patterns, no new transfer arrangements because of change of residence are to be initiated pending the operative date of Article XXVII (Proposition 2). Meanwhile payments shall be continued through that administrative unit presently making the security payments.

Those transfers on which arrangements have been completed and the effective date for assumption of responsibility for payment of OAS or SB through the second administrative unit is either December 1, 1949, or January 1, 1950, shall be completed in accord with the arrangements which have been made.

All other transfer arrangements shall be cancelled. These include:

1. Those on which arrangements have been completed and the second administrative unit is due to assume responsibility for payment on a date subsequent to January 1, 1950.
2. Those in which transfer arrangements have been initiated but not completed.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Myrtle Williams
(Signature)

Director
(Title)

12-6-49
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
December 5, 1949

FILED
in the office of the Secretary of State
of the State of California

DEPARTMENT BULLETIN NO. 383 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

DEC 8 1949
3:24 o'clock P.M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: Age records of recipients

In order that the records of the State Controller's Office be more complete as to anniversary dates that aged recipients will reach age 65, it will be necessary for the SDSW District and Regional Offices, and County Offices where security is disbursed by the State Controller, to adopt the following procedure immediately upon receipt of this Bulletin.

SDSW and County District Offices

When processing all Forms 278 hereafter relating to persons who will reach age 65 in the future the month, day and year of 65th anniversary must be shown.

On or before December 22, 1949, the State Controller will furnish each numbered District Office four copies of a warrant register listing comprising all cases in his records which are coded Federally ineligible (Code 2). It will be necessary for each District to check each case on the listing and for those items which represent persons under 65 years of age a supplemental code will be written on the listing to the right of the code "2" appearing in the "Eligibility" Column. If the 65th birthday falls after 3/1/50 the codes "3" or "4", as outlined in the following paragraph, will be inserted. If the 65th birthday occurs on or before 3/1/50 the applicable month and year will be inserted, i.e., 12/49, 1/50, 2/50, or 3/50. The original copy of the listing with the code entries should be returned to the Controller under cover of a transmittal letter no later than January 13, 1950. The duplicate will be forwarded to the Region for its records and the triplicate retained. The quadruplicate may be destroyed or retained.

SDSW Regional Offices

Before scheduling Forms 278 from District offices to the State Controller certain supplementary codes will be inserted by red pencil or red ink in Item 17 for Columns 5 and/or 6, as follows:

- a. "Code 3" - if the 65th birthdate falls after 3/1/50, but during March 1950.
- b. "Code 4" - if the 65th birthdate falls on or after 4/1/50.

Very sincerely yours,

[Signature]
MYRTLE WILLIAMS, Director
Department of Social Welfare

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
December 14, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

RECEIVED
SACRAMENTO, CALIF.

DEC 20 AM 9 50

Dear Mr. Jordan:

Attached are three copies of the following regulations which are being filed in accordance with Section 11380 of the Government Code.

DEPARTMENT BULLETIN NO. 382-A dated December 7, 1949
DEPARTMENT BULLETIN NO. 385 dated December 9, 1949

These regulations were issued on the above date by the Director of the State Department of Social Welfare under authority of Section 4 of Article XXV of the California Constitution.

These regulations are to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

FILED

In the office of the Secretary of State
of the State of California

MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

DEC 20 1949

AL 10 o'clock AM
FRANK M. JORDAN, Secretary of State

By

Certified as a Regulation (or
Regulations) of the

Dept of Soc. Welfare
(Name of State Agency)

Myrtle W. Rogers
(Signature)

Director
(Title)

12-14-49
(Date)

MYRTLE WILLIAMS
Director

Sec 4, Art XXV

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14

December 7, 1949

DEPARTMENT BULLETIN NO. 382-A (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Old Age Security
Analysis of Eligibility

Attached to Department Bulletin No. 382 (OAS) is an explanatory letter which was to have been used with the questionnaire on personal property mailed to selected recipients. That letter is not to be used. Instead, when it is decided that the questionnaire is to be sent to a recipient, the attached letter may be used. A stamped envelope shall be sent to the recipient so that he can return the questionnaire without any inconvenience or delay.

A supply of the questionnaire and explanatory statement will be forwarded on or before December 12, 1949.

Very sincerely yours,

Myrtle Williams
MYRTLE WILLIAMS, Director
Department of Social Welfare

Attachment

FILED

In the office of the Secretary of State
of the State of California

DEC 20 1949

At 10 o'clock a.m.
FRANK M. JORDAN, Secretary of State

By *[Signature]*

TO RECIPIENTS OF OLD AGE SECURITY

The adoption of Article XXVII of the State Constitution (Proposition No. 2) on November 8 has resulted in a number of changes in Old Age Security which may affect your eligibility to receive security payments beginning March 1, 1950. You can help us to ensure continuation of your payments, if you remain eligible, by giving us information about the personal property you own at the present time.

Attached is a list of different types of personal property. It may be that you own one or more of the items listed or you may own none of them. Please go down the list on the attached sheet and write in the value of any items of personal property you own. Write "none" on the line opposite any items which you do not own. When you have done so please sign the list, date it, and return it to the person whose name and address is shown on the list. A stamped envelope is enclosed for your convenience in returning the list to us. It is important that you return the completed list as quickly as possible.

We do appreciate your help in assisting us and assure you that we are anxious to continue your security payments so long as you remain eligible to receive them.

Certified as a Regulation (or
Regulations) of the

People of Soc. Welfare
(Name of State Agency)

Myrtle Williams
(Signature) 2

Director
(Title)

12-14-49
(Date)

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
December 9, 1949

Sec 4. art XV
FILED
in the office of the Secretary of State
of the State of California

DEC 20 1949

At 10 o'clock AM
FRANK M. JORDAN, Secretary of State

By _____ Deputy

DEPARTMENT BULLETIN NO. 385 (SB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

Subject: Security for the Blind
Analysis of Eligibility

Article XXVII (Proposition No. 2) re-enacts the provisions of the Welfare and Institutions Code as effective prior to January 1, 1949. Unless amended by the State Legislature, the former provisions of the code will become effective on March 1, 1950. Since this may affect some recipients, it is necessary that all Security for the Blind (formerly Aid to Needy Blind) cases be reviewed for the status of personal and real property; also for the status of county residence as this has not been a factor since 1/1/49. By doing so, it will be possible to have readily accessible all the necessary information which may affect the recipient when the changes in law become operative or when county residence is again pertinent. This review should be begun with the cases most recently granted - then work backward through the case load.

For this review a worksheet entitled "Security for the Blind Eligibility Analysis" shall be used to record the pertinent facts relative to personal property, real property, and county residence. The Eligibility Analysis Sheet shall be completed in duplicate, using the information in the case record. Although the Welfare and Institutions Code exempts certain items from consideration as personal property, it is not yet known just what changes will be required in the rulings governing such holdings. For that reason the Eligibility Analysis Sheet calls for a recording of all assets, without regard to any existing exempt features. Thus when the specific eligibility requirements are known the Eligibility Analysis sheets will provide a quick method of applying these rulings to individual cases.

If the last determination in the case record reveals that no further work needs to be done to establish county residence status; the recipient had no exempt insurance (life or burial), and no funds in a burial trust; that he did not have more than \$600 in cash, securities and cash surrender value in insurance; and his total real and/or personal property does not exceed an assessed value of \$3500 less encumbrance, file both the original and duplicate of the Analysis Sheet in the case record. (Make a list of such cases as had any income from Old Age and Survivor's Insurance so that they may be included in a signal file for later reference - see Item IV, Page 6.)

On all the other cases proceed as follows:

- a. If no further investigation is necessary to determine present value of property items, file the original copy of the Eligibility Analysis Sheet in a Central Control file. File the duplicate in the case record.

- b. If further investigation is necessary to determine the present value of property items or to determine county residence, retain both copies of the Eligibility Analysis Sheet until all necessary information has been secured. Take immediate action to secure the necessary information. As soon as secured amend both copies of the Eligibility Analysis Sheet to conform to the results of the further investigation which has been made. Then send the original of the amended Eligibility Analysis Sheet to be filed in the Central Control file. File the duplicate in the case record.

As soon as the specific rulings governing payments as of March 1, 1950, are known they will be released. The original copies of the completed Eligibility Analysis sheets will then make possible a quick application to those cases which may be affected by them.

It will be the responsibility of the social worker, with the necessary help of his supervisor, to decide whether additional investigation could best be made by an interview with the recipient in his home or in the office. If information is already available in the case record except for one or two specific items, a letter to the individual may be substituted for a home or office interview; otherwise every effort shall be made to interview the recipient.

All items on the Eligibility Analysis Sheet must be completed. If any of the items do not apply to the particular recipient's situation, the word "none" shall be entered opposite that item.

I. Real Property

Item "a" is related to the fact that under Article XXV the proceeds from a voluntary sale of a recipient's home shall be considered as real property for a period of six months from the date the money was received. Any money or securities which remain on 3/1/50 must be considered as personal property even though the six-month period has not elapsed.

Completion of this item will help to identify those cases in which there has been a voluntary sale of the home and which require investigation regarding the amount of funds which remain from such sale and which must be recorded in Section II (Personal Property) of the Analysis Sheet.

Item "b" Record the total net county assessed value of all real property which is owned, including any real property which has been involuntarily converted into personal property since 3/1/49. (If married, this includes community property owned by husband and wife.)

Item "c" It is desirable that this review identify those cases in which real property other than the home is owned. If real property is owned, even though the encumbrance may be such that there is no net county assessed value, complete item c.

II. Personal Property

All personal property must be examined with the thought in mind that the Welfare and Institutions Code provisions prior to 1/1/49 may govern the determination of eligibility. The following material is presented to be used as a guide which will help flag those cases that may require investigation, and action before the provisions of Article XXVII reinstating the Welfare and Institutions Code become operative.

A. Property Limitation Under Welfare and Institutions Code

Beginning 3/1/50 (unless the Code provisions are amended) an applicant or recipient may have real and/or personal property holdings not to exceed an assessed valuation of \$3500 less encumbrances of record. Of this \$3500 limitation on real and/or personal property not more than \$600 may be in cash, securities, and cash surrender value in non-exempt insurance unless there is a plan for self-support.

Encumbrances include any debt for which the property is security. The encumbrance must be evidenced by a written record the discharge of which requires the payment of money. Encumbrances include: chattel mortgages; loans, when all or a portion of the property is given as security for the loan; attachments for debts, taxes, etc. An unsecured debt is not an encumbrance to be deducted in determining property holdings.

B. Personal Property which shall be Included in the \$600 Limitation on Cash, Securities, and Cash Surrender Value in Insurance

1. Money - The amount on hand or in a safe deposit box (see Manual Section 143-35); in a bank or postal savings account (see Manual Section 143-37).

Exception: Money (if retained in cash or securities) received by a recipient from the involuntary conversion of real property, shall be considered real property during the one year period subsequent to the date payment was received. There must be verification of the fact that the conversion of the property was involuntary. (See Manual Section 146-00.)

Note: Under Article XXV funds received from the voluntary sale of the home is considered real property for a period of six months from the date of receipt. Effective 3/1/50 any funds (cash or securities) which remain from a voluntary sale of the home represent personal property even though a six months period may not have elapsed.

2. Stocks and bonds (including war bonds and government savings bonds). - When stocks and bonds are assessed, the assessed value shall be used. If not assessed, the current market value represents personal property. (See Manual Sections 143-55 and 143-57.)
3. Notes, Mortgages and Deeds of Trust - The current market value represents personal property. (See Manual Section 143-45.)
4. Life Insurance Policies - Personal property includes the net cash surrender value of policies on the life of the applicant or recipient which may have been in effect less than five years.

When the policy or policies of insurance on the life of the applicant or recipient have been in effect five years or more, the net cash surrender value of that portion of the insurance which exceeds a net maturity value of \$1000 shall be considered in determining the value of personal property holdings. (See Manual Section 143-83.)

In the case of a married couple each is considered to have a one-half interest in the net cash surrender value of policies carried by either. Insurance on the life of an eligible or ineligible spouse is subject

to the same assumption outlined in the paragraph immediately above; i.e., each of the couple is considered to have a one-half interest in the net cash surrender value of that portion of the insurance which exceeds a net maturity value of \$1000.

C. Personal Property which shall not be included in the \$600 limitation on cash, securities, and cash surrender value in life insurance

1. Livestock, Fowl and Farm Equipment - The assessed value represents personal property.
2. Commercial or Other Business Enterprise - Personal property includes the assessed value of an interest in a business enterprise as represented by the stock on hand, fixtures and equipment, and "accounts receivable". (See Manual Section 143-60.)
3. Personal Property Being Purchased or Sold Under Conditional Sales Contract - If the property is being purchased, the assessed value of the purchaser's equity represents personal property. The purchaser's equity is the difference between the assessed valuation of the goods being purchased and the remainder due on the contract. (See Manual Section 144-00.)

If the property is being sold under conditional sales contract the assessed value of the article being sold represents personal property. (See Manual Section 144-05.)

4. Automobile and Other Motor Vehicles - The value of automobiles, trucks and other motor vehicles shall be determined on the basis of the vehicle license fee reported on the State Motor Vehicle Department registration card.

The registration card issued by the Motor Vehicle Department must be carried in every motor vehicle taxed by that department. On the registration card (white slip) for passenger cars is recorded the registration fee (\$6) and the "vehicle license fee" which varies in accordance with the value. The amount of the vehicle license fee appears in the space marked "VLF fee" on the line above the space provided for the signature of the legal owner. Since the total state tax includes a \$6 registration fee for all vehicles, the vehicle license fee only is to be used to determine the value of the vehicle.

A schedule of the vehicle license fee (excluding the registration fee) and the values which they represent follow:

| <u>VLF</u> | <u>Value of Vehicles</u> | <u>VLF</u> | <u>Value of Vehicles</u> |
|------------|--------------------------|------------|--------------------------|
| \$1 | \$37 | \$13 | \$650 |
| 2 | 105 | 14 | 695 |
| 3 | 150 | 15 | 755 |
| 4 | 200 | 16 | 805 |
| 5 | 250 | 17 | 850 |
| 6 | 295 | 18 | 905 |
| 7 | 355 | 19 | 950 |
| 8 | 405 | 20 | 1000 |
| 9 | 450 | 21 | 1050 |
| 10 | 505 | 22 | 1095 |
| 11 | 550 | 23 | 1155 |
| 12 | 600 | 24 | 1205 |

Should it be necessary to determine the value of the motor vehicle for which the vehicle license fee is in excess of \$24, add to \$1205 that value in the foregoing table which is opposite the amount by which the vehicle license fee exceeds \$24.

The foregoing table cannot be used to determine the value of new automobiles purchased within the current year. Likewise, it cannot be used to determine the value of second hand cars previously registered in another state but bought by recipients during the current year. It is anticipated that such cases will be encountered infrequently. Should it become necessary to determine the market value under either circumstance notify the State Department of Social Welfare, 616 K Street, Sacramento, of the month within the current year in which the car was purchased and the amount of the vehicle license fee as shown on the white slip. The State Department of Social Welfare will then forward a statement of the market value to be used in determining eligibility.

D. Personal Property Not Included in the Property Limitation Under Welfare and Institutions Code

1. Interment plots and money placed in trust or insurance for funeral or interment expenses when such money or insurance does not exceed \$500 in value. (See Manual Sections 143-83 and 144-08.)
2. The net cash surrender value on \$1000 of insurance on the life of the applicant or recipient when the policy or policies have been in effect five years or more. (In the case of a married couple each is considered to have a one-half interest in the net cash surrender value of policies carried by either.)

Note: It is not yet known what changes may be required in the rulings governing holdings which, under the present Welfare and Institutions Code provisions, are held to be exempt from consideration as personal property. For that reason the Analysis Sheet calls for a recording of all assets.

No provision is made on the Eligibility Analysis Sheet for including life insurance in the total of all personal property owned when the policy has no cash surrender value. The face value of such insurance (up to a \$500 maximum) is counted in the \$1500 limitation under Article XXV because it represents a burial resource. However, any ruling on this point to be effective 3/1/50 is uncertain and the data as listed in Item K on the Eligibility Analysis Sheet for such policies will provide a basis for evaluating it when the specific ruling is known.

III. Residence

Item "a" on the Eligibility Analysis Sheet relates to the fact that prior to January 1, 1949, the county participated in the grant if the applicant who became blind while a resident of California had residence of six months or more in the county. Likewise, the county participated in the grant if the applicant who became blind while not a resident of California had residence of one year or more in the county. A person who had less than the required county residence was not ineligible if he met other eligibility requirements but the State reimbursed the county in full for the payments made until the required county residence had been acquired.

Under Article XXV the period of county residence was not a factor to be considered. It is possible, however, that there will be information in many cases which clearly shows that the recipient has the required county residence in the county in which he is living, or will have been a resident of the county for the required period when county residence again becomes pertinent. If so, check the county residence item on the Eligibility Analysis Sheet as "Clearly Established". If the information clearly shows that the recipient will not have been a resident of the county for the required length of time on March 1, 1950, when Article XXVII becomes operative, or if there is no information whatever regarding county residence, check "Questionable".

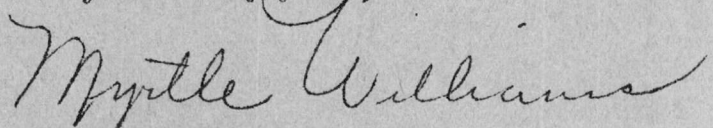
There will not be sufficient time between now and March 1, 1950, to secure residence verification for persons in the "Questionable" group. Therefore, this item on the schedule will serve as a signal for cases which require further investigation as to county residence whenever this factor again becomes pertinent. (County residence is not an eligibility requirement insofar as the security payment is concerned, therefore, no cases will be discontinued because of lack of county residence. The determination as to county residence is necessary merely in relation to the reimbursement procedure when county residence again becomes pertinent.)

IV. Old Age and Survivor's Insurance Income

There is legislation before Congress which, if passed, will increase Old Age and Survivor's Insurance payments effective from some future date. This item is, therefore, included on the schedule so that a signal file may be prepared of cases which may require a grant adjustment if and when Old Age and Survivor's Insurance income is increased.

A supply of mimeographed Eligibility Analysis sheets - Security for the Blind - (Form Temp 302 B1) will be forwarded.

Very sincerely yours,



MYRTLE WILLIAMS, Director
Department of Social Welfare

SECURITY FOR THE BLIND ELIGIBILITY ANALYSIS

CASE NUMBER _____

CASE NAME _____

I. REAL PROPERTY

- a. If a voluntary sale of home since 9/1/49, show amount received\$ _____
- b. What is the total net county assessed value of all community property owned by recipient and spouse? (Include here the value of any real property involuntarily disposed of since 3/1/49.)\$ _____
- c. Is the home owned? YES ☐ NO ☐
- Is other real property owned? YES ☐ NO ☐

II. PERSONAL PROPERTY

| | | Date Last Determined | Amount |
|-----|---|-------------------------|----------|
| a.* | <input type="checkbox"/> Cash on Hand | _____ | \$ _____ |
| b.* | <input type="checkbox"/> Bank Accounts (Savings and Commercial) | _____ | _____ |
| c.* | <input type="checkbox"/> Postal Savings Accounts | _____ | _____ |
| d.* | <input type="checkbox"/> Bonds, including Government War or Savings Bonds | _____ | _____ |
| e.* | <input type="checkbox"/> Stocks | _____ | _____ |
| f.* | <input type="checkbox"/> Notes, Mortgages and Deeds of Trust | _____ | _____ |
| g.* | <input type="checkbox"/> Motor Vehicles: Value Based on Motor Vehicle Fee | _____ | _____ |
| h.* | <input type="checkbox"/> Other personal property (specify) | _____ | _____ |
| i. | <input type="checkbox"/> Burial Insurance | _____ | _____ |
| j. | <input type="checkbox"/> Burial Trust | _____ | _____ |
| k. | <input type="checkbox"/> Life Insurance Policies: | | |

On Recipient

| Date Last Determined | Company | Date Issued | Face Value | Cash Sur. Value | Loans | Net Cash Sur. Value |
|-------------------------|---------|----------------|---------------|--------------------|-------|------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

On Spouse

| Date Last Determined | Company | Date Issued | Face Value | Cash Sur. Value | Loans | Net Cash Sur. Value |
|-------------------------|---------|----------------|---------------|--------------------|-------|------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Total Net Cash Surrender Value \$ _____ \$ _____
(Recipient's Share)

TOTAL PERSONAL PROPERTY \$ _____

* If this personal property is owned jointly with a spouse show recipient's 1/2 share.

III. RESIDENCE

a. County Residence: Clearly Established _____ Questionable _____

IV. OASI INCOME

a. Does the recipient receive income from OASI? YES ☐ NO ☐

Worker's Signature

Date

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR
Sacramento 14
December 21, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

Dear Mr. Jordan:

Attached are three copies of the regulations issued by the
State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 386 (ANC) (Emergency)
DEPARTMENT BULLETIN NO. 387

These regulations were issued by the State Department of Social
Welfare pursuant to the powers conferred upon it by the Welfare and
Institutions Code under Section 103, and are being filed in accordance
with Section 11380 of the Government Code.

The regulations contained in Department Bulletin No. 386
are to be effective immediately upon filing with the Secretary of State,
since this has been found necessary for the immediate preservation of
the public peace, health and safety or general welfare and that notice
and public procedure thereon are impracticable, unnecessary or contrary to
the public interest.

Very sincerely yours,

Myrtle Williams
MYRTLE WILLIAMS, Director
Department of Social Welfare

FILED

in the office of the Secretary of State
of the State of California

468:b5
Attachments

DEC 23 1949

At 11 o'clock M.
FRANK M. JORDAN, Secretary of State
By *Chas. J. Sayre* Deputy

Certified as a Regulation (or
Regulations) of the

Department of Social Welfare
(Name of State Agency)

Muriel Williams
(Signature)

Director
(Title)

12-21-49
(Date)

MYRTLE WILLIAMS
Director

2081C103

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
December 20, 1949

FILED

in the office of the Secretary of State
of the State of California

DEC 23 1949

DEPARTMENT BULLETIN NO. 387 (ANC)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
LOS ANGELES JUVENILE COURT
SAN FRANCISCO JUVENILE COURT

At 11 o'clock ^aM.
FRANK M. JORDAN, Secretary of State

By  Deputy

Subject: Form CA 201, Certificate of
Eligibility, Aid to Needy
Children

The attached regulations adopted by the Social Welfare Board on December 15, 1949, to be effective on cases acted upon by the board of supervisors on and after February 1, 1950, include the revised Form CA 201, Certificate of Eligibility, -Aid to Needy Children, and the instructions for completing Form CA 201.

The revised certificate eliminates further reporting to the State Department of Social Welfare on each type of evidence which supports each point of eligibility.

Emphasis is placed in the certification statement to be executed by the county that all evidence supporting the determination of eligibility (or ineligibility) is on record in the county.

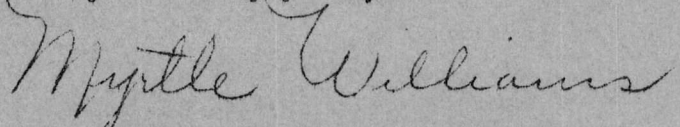
All points of eligibility are covered on Form CA 201.

Arrangement of the items on the form is designed to expedite auditing and processing of this document by the State Department of Social Welfare.

An initial supply of multilithed copies of the Certificate of Eligibility, Form CA 201, for use until printed forms are available, is being mailed under separate cover. Counties should destroy their supply of the obsolete Form CA 201.

This material supersedes Secs. 237-00 and 237-75 of the Manual of Policies and Procedures insofar as they pertain to ANC.

Very sincerely yours,



MYRTLE WILLIAMS, Director
Department of Social Welfare

Attachments

SEC. 1 PURPOSE OF CERTIFICATE OF ELIGIBILITY

1

The certificate of eligibility is the county's report to the SDSW that assistance has been granted or denied by the board of supervisors and certification that evidence supporting the county's determination of eligibility or ineligibility is on file in the county office. It is also the county's report to the SDSW of county action withheld for children whose eligibility status has not been determined at the time assistance for other children listed on the application is granted or denied. This form substantiates the county's claim for reimbursement.

SEC. 2 WHEN CERTIFICATE OF ELIGIBILITY IS REQUIRED

2

A certificate of eligibility is required to cover every child for whom application has been made on Form CA 200. All children of a family for whom application has been made shall be shown on the same certificate even though the reason for deprivation of parental support and care differs. "Children of a family" means children who have a parent in common. If the children included on the application, Form CA 200, do not have a parent in common, a separate certificate of eligibility shall be submitted for each set of children.

If action is withheld by the board of supervisors for one or more children while assistance is granted or denied for the other children for whom application is made, a certificate of eligibility shall be submitted for all the children including those for whom action is withheld. Another certificate of eligibility shall be submitted for the child for whom action was previously withheld at the time assistance for that child is granted or denied.

If application is made for an additional child of a family already receiving assistance, a certificate of eligibility shall be submitted for the additional child.

Another certificate of eligibility together with Form CA 232 shall be submitted for a child whose application was denied erroneously and the denial is later rescinded by action of the board of supervisors.

SEC. 3 INSTRUCTIONS FOR COMPLETING THE CERTIFICATE OF ELIGIBILITY

3

The certificate of eligibility shall be completed in duplicate. If assistance is granted, the certificate of eligibility shall be completed in full. If assistance is denied, complete Items 1, 2, 9b, and 10b only. The original or a certified copy shall be forwarded to the SDSW. One copy shall be retained by the county.

If the case is a non-county case, enter in the spaces provided in the upper right hand section the date residence began in the county of application and the date on which county participation begins. If the case is non-county for some but not all of the children, enter the names of the non-county children above the date residence was established in the county of application. Attach a completed Form CA 234, Statement of Non-County Residence. (See Department Bulletin 379, Section 12.)

Item 1. Name of Applicant - Enter the name of the applicant as shown on the Form CA 200.

(Section continued on next page)

Relationship to Children - Enter the relationship (family or other) of the applicant to the children; e.g., mother, aunt, guardian, probation officer, etc.

County Number - Enter the county number assigned to the application.

Former State Number - Enter the former state number (including county prefix) if one is shown on the CA 200 (see Department Bulletin 373, Section 9, Instructions for Completing the Application Form).

State Number - If state numbers are not assigned by the county, leave this item blank. The state number should be entered on the county's copy of the Form CA 201 as soon as the List of State Numbers, Form CA 247, is received from the SDSW. If state numbers are assigned by the county, enter the state number.

Item 2. Children's Surname - Mother's Name - Father's Name - Space is provided for two sets of children having a parent in common. Enter the children's surname, the mother's given name, and the father's given name. If the mother's surname differs from that of the children, enter her surname. If more than two sets of children with a parent in common are included, attach a rider.

Item 3. Deprivation of Support or Care - Check in the applicable space or spaces to show the reason or reasons for deprivation of support or care.

Item 4. Children's Names - Enter the children's names. If two children with different surnames have the same given name, identify each child by the initial of the surname or otherwise.

Birthdates - Enter the month, day, and year of birth opposite the name of each child.

School Enrollment 16-18 - Enter "yes" or "no" opposite the name of each child 16 to 18 years of age otherwise eligible for federal participation to indicate whether the child is enrolled in school. Leave this item blank for all other children.

Living Plan - Enter the applicable abbreviation to show the living plan for each child as follows:

O.H. - Living in his own home and a parent is payee

E.R. - Living in the home of a relative eligible for federal participation and that relative is the payee

I.R. - Living in the home of a relative or the legal guardian who either is ineligible for federal participation regardless of whether or not that relative is the payee, or is eligible for federal participation but is not the payee.

B.H. - Living in a boarding home and not with relatives.

Instit. - Living in an institution

(Section continued on next page)

Payee - If other than Applicant, Name - Relationship - If the payee for the child is other than the applicant, enter the payee's full name and the relationship to the child opposite the name of the child. If the payee is the applicant, leave this item blank.

Federal Participation - Check "yes" if the child is under 16 years of age and is living with an eligible payee, or is 16 or over and is living with an eligible payee and is enrolled in school. Check "no" for all other children.

Item 5. State Residence - Check in the applicable space to show how the child's state residence is established (i.e., by birth, by parent's residence, or by the physical presence of the child). If the basis for state residence differs for the children, check each applicable space.

Item 6. Property - Real and Personal - Check each space to indicate that real and personal property owned by the parents and children is within the maximums under the ANC law and to indicate that no voluntary assignment of property was made to qualify for assistance.

Item 7. Assistance Plan - Family Budgetary Basis - Enter:

- a. The total budget for the family budget unit as shown in Item G on the Budget Worksheet (Form CA 241) or on the county substitute form.
- b. The total net income to the family budget unit and the source and the amount from each source of income as shown in Items H, I, and J on the Budget Work Sheet (Form CA 241) or on the county substitute form. The total of the amounts from each source of income shall equal the total net income to family budget unit shown under Item 7b.
- c. The budgetary deficiency (i.e., the difference between the total budget and the total net income to the family unit) as shown in Item K on the Budget Work Sheet (Form CA 241) or on the county substitute form.
- d. The amount of the assistance payment as shown in Item L of the Budget Work Sheet (Form CA 241) or on the county substitute form.
- e. The unmet need; enter the difference between the deficiency (Item 7c) and the assistance payment (Item 7d), if any.

If there is more than one payee for children shown on one certificate of eligibility and assistance is granted on a family budget basis to each payee, separate assistance plans shall be reported for the individual groups by use of a rider.

If an additional child of a family currently receiving ANC on a family budget basis is granted assistance and the payee is the same as for the other children, complete Item 7 to show the assistance plan for all children including those previously granted assistance. If the payee for the additional child is not the same as for the children previously granted assistance, complete Item 7 for the additional child only.

(Section continued on next page)

Item 8. Assistance Plan - Individual Child Basis

Name of Child - Enter the given name of the child.

Total Need - Enter the total needs of the child.

Parent's Contribution - Enter the amount of the parent's monthly contribution for the child. If the parent does not contribute, leave this item blank.

Other Income - Sources and Amounts - Enter each source of income and the amount of income from each source other than the contribution by the parent. If there is no such income, leave these spaces blank.

Item 9. Recommendation to the County Board of Supervisors

- a. List the names of the children who qualify for assistance. If the beginning date of payment is later than that specified by Section 1550 or 1552 of the W&I Code, enter the date from which eligibility is determined and give the reason for ineligibility prior to that date.

If an additional child of a family currently receiving ANC on a family budget basis is granted assistance and the payee is the same as for the other children, complete Item 9a with the names of all children included in the family budget unit. If the payee for the additional child is not the same as for children previously granted assistance or if assistance is granted on an individual child basis, complete Item 9a for the additional child only.

- b. List the names of the children who do not qualify for ANC and give the reason for ineligibility.
- c. List the names of the children whose eligibility status has not been determined and give the reason for not establishing eligibility.

Signature of County Public Assistance Worker

The certificate of eligibility should be signed and dated by the county public assistance worker who makes the recommendation to the board of supervisors.

Signature of Case Supervisor or Director

The certificate of eligibility should be signed and dated by the public assistance supervisor or county welfare director.

Item 10. Action by the County Board of Supervisors

- a. Enter the name of the county, date of action, and the beginning date of the assistance payment. If assistance is granted on a family budget basis for all children and there is only one payee, list the names of the children and enter the total assistance payment opposite the name of the first child.

If an additional child of a family currently receiving ANC on a family budget basis is granted assistance and the payee is the same as for the other children, complete Item 10 with the names of all children included in the family budget unit and enter the full amount of the assistance payment

(Section continued on next page)

currently granted opposite the name of the first child. If the payee for the additional child is not the same as for the children previously granted assistance or if assistance is granted on an individual child basis, complete Item 10 for the additional child only.

If there is more than one payee for children shown on the same certificate of eligibility and assistance is granted on a family budget basis to each payee, enter the amount of the assistance payment to each payee.

If one or more children is receiving foster care, list the names of the children and enter the amount of the assistance payment for each child opposite the name of the child.

If the beginning date of the assistance payment differs for one or more of the children, enter the date opposite the name of each child.

Signature of the County Clerk or Deputy

The certificate of eligibility shall be signed by the county clerk or deputy, or chairman of the board of supervisors. The signature may be either the original or a facsimile.

b. Denial by the Board of Supervisors

Enter the name of the county, date of action, names of children for whom ANC is denied and give the reason for ineligibility.

Signature of the County Clerk or Deputy

The certificate of eligibility shall be signed by the county clerk or deputy, or chairman of the board of supervisors. The signature may be either the original or a facsimile.

AID TO NEEDY CHILDREN

IF NON-COUNTY CASE ENTER

TO BE COMPLETED BY THE STATE DEPARTMENT OF SOCIAL WELFARE

PAYMENT
TO BEGIN

Remarks:

Signature of ReviewerDate

Date residence began in county of application

AND

Date County Participation begins

ATTACH CA234

1. NAME OF APPLICANTRELATIONSHIP TO CHILDRENCOUNTY NUMBERFORMER STATE NUMBERSTATE NUMBER

2. CHILDREN'S SURNAMEMOTHER'S NAMEFATHER'S NAMECHILDREN'S SURNAMEMOTHER'S NAMEFATHER'S NAME

3. DEPRIVATION OF SUPPORT OR CARE

Reason: DeathMotherFatherAbsenceMotherFatherIncapacity: PhysicalMotherFatherMentalMotherFather

| CHILDREN'S NAMES | BIRTHDATES MO./DAY/YEAR | SCHOOL ENROLLMENT 16 - 18 YES OR NO | LIVING PLAN | PAYEE--IF OTHER THAN APPLICANT | | FEDERAL PARTICI- PATION | |
|------------------|----------------------------|--|----------------|--------------------------------|--------------|-------------------------------|----|
| | | | | NAME | RELATIONSHIP | YES | NO |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

5. STATE RESIDENCE (Check one or pertinent combinations)

BirthParent(s)Physical Presence

6. PROPERTY--Real and Personal owned by parents and/or children

a. Real Property, assessed value (less encumbrances of record) is within \$3000

b. Cash and/or securities, value is within \$600

c. No voluntary assignment of property

7. ASSISTANCE PLAN--Family Budgetary Basis

a. Total budget for the family unit \$

b. Total income to family unit \$

c. Deficiency \$

d. Assistance payment \$

e. Unmet need \$

Sources and Amounts of Income Shown in 7B

| Source | Amount |
|--------|--------|
| | |
| | |
| | |

8. ASSISTANCE PLAN--Individual Child Basis

| NAME OF CHILD | TOTAL NEED | PARENT'S CONTRIBUTION | OTHER INCOME | | | | | | ASSISTANCE PAYMENT |
|---------------|---------------|--------------------------|--------------|--------|--------|--------|--------|--------|-----------------------|
| | | | SOURCE | AMOUNT | SOURCE | AMOUNT | SOURCE | AMOUNT | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

9. Recommendation to the County Board of Supervisors

- a. This is to certify that the above points of eligibility have been determined for the children named below and that supporting evidence is on file in the county office.

I recommend that Aid to Needy Children be approved in the amounts shown in Items 7 and/or 8 for _____

Names of Children

The children were ineligible for Aid to Needy Children under Section 1550 or 1552 W. & I. Code until _____

Date

Reason: _____

- b. This is to certify that ineligibility has been determined for the children named below and that supporting evidence is on file in the county office.

I recommend that Aid to Needy Children be denied for _____

Names of Children

Reason: _____

- c. I recommend that county action be withheld for _____

Names of Children

Reason: _____

_____ Date _____

Signature of County Public Assistance Worker

_____ Date _____

Signature of Case Supervisor or Director

10. Action by the County Board of Supervisors

- a. Granted by the Board of Supervisors of _____ County this _____ day of _____ 19____

Aid to Needy Children to begin on the _____ day of _____ 19____ for:

| Names of Children | Amount | Names of Children | Amount |
|-------------------|--------|-------------------|--------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

Signature of County Clerk, Deputy, or
Chairman of the Board of Supervisors

- b. Denied by the Board of Supervisors of _____ County this _____ day of _____ 19____

for _____

Names of Children

Reason: _____

Signature of County Clerk, Deputy, or
Chairman of the Board of Supervisors

Certified as a Regulation (or
Regulations) of the

Department of Social Welfare
(Name of State Agency)

Margie Williams
(Signature)

Director
(Title)

12-21-49
(Date)

MYRTLE WILLIAMS
Director

W41C103

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
December 19, 1949

DEPARTMENT BULLETIN NO. 386 (ANC)

TO: COUNTY WELFARE DEPARTMENTS
COUNTY BOARDS OF SUPERVISORS
COUNTY AUDITORS
LOS ANGELES JUVENILE COURT
SAN FRANCISCO JUVENILE COURT

Subject: ANC Revision of Policies and
Procedures with Respect to
Property

The attached rules and regulations, adopted by the Social Welfare Board on December 15, 1949, to be effective January 1, 1950, includes changes and clarifications in the ANC policies and procedures relative to personal and real property and property transfers.

The significant changes include;

1. Elimination of the requirement for a routine property search. Emphasis is placed upon making a search only in specified instances.
2. Reduction of the period to one year before the application is signed in presuming that the transfer of property was made for the purpose of qualifying for assistance or for a greater amount of assistance.
3. Simplification of the procedure for determining real and personal property holdings.

These new regulations supersede the following portions of the Manual of Policies and Procedures insofar as they pertain to ANC:

Real Property Chapter
Personal Property Chapter
Section 233-00
Section 351-15
Section 351-20

FILED

In the office of the Secretary of State
of the State of California

DEC 23 1949

At 11 o'clock *AM*
FRANK M. JORDAN, Secretary of State

By _____ Deputy

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

Attachment

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Sec. 1 REAL PROPERTY REQUIREMENTS

1

A child shall be considered eligible with respect to real property if the assessed value of all community and separate real property owned by each child and his parents, less all encumbrances of record, does not exceed \$3000. Even though the parents are living separate and apart, the assessed value of their community and separate property shall be considered, except:

1. If full custody of the child has been surrendered by a parent pursuant to a court order, that parent's property shall not be considered. However, if there has been no property settlement, the share of community property of the parent who has custody as well as his separate property, if any, shall be considered in determining eligibility. If there has been a property settlement, the property awarded the parent having custody of the child along with any other property of that parent shall be considered. Court orders for support of the child or property settlements involving income shall constitute a potential source of income; therefore, the investigation and determination of the availability thereof shall be made in accordance with Department Bulletin 376.
2. If a parent has relinquished the child for adoption and the relinquishment has been filed with the SDSW, the property of the parent shall not be considered.
3. If the father of the child is not married to the mother and the parents are not maintaining a home together, the property of the father shall not be considered, unless the father has legitimized the child under Section 230 of the Civil Code.

Sec. 2 DEFINITION OF REAL PROPERTY

2

Real property is considered to be property which is immovable. It includes burial space. Also, for purposes of determining eligibility for ANC, ownership of stock in a water company not appurtenant to the land shall be considered real property to the extent of and in the amount necessary to obtain water for agricultural purposes.

Sec. 3 OWNERSHIP OF REAL PROPERTY

3

The term "owner" includes all persons who hold legal title to property. It includes the seller and the buyer of real property under a contract of sale.

Property is considered owned if it is held under any of the following conditions:

1. Clear of all indebtedness.
2. Subject to mortgage, deed of trust, etc.
3. Subject to sale to another party under contract of sale.
4. Subject to purchase from another party under contract of sale.
5. As a homestead.

(Section Continued on Next Page)

6. In an undistributed estate provided the property is in fact available prior to distribution.

If real property is sold and a mortgage or deed of trust is taken as security for the unpaid balance of the sale price, title passes to the buyer. The assessed value of property so sold by the child or his parent is not considered as real property in determining eligibility. The assessed value of property so bought by the child or his parent is considered as real property in determining eligibility.

If real property is sold under contract of sale, title remaining with the seller, the assessed value of the property, regardless of the seller's equity in it, shall be considered in determining eligibility. The buyer of real property under contract of sale is the owner of an equitable interest in such real property, and is also regarded as the owner of the property. The assessed valuation of property being purchased under contract of sale shall be considered in determining the eligibility of the buyer. If both the seller and buyer of property being sold under contract of sale are each the parent of a child for whom application for assistance is made or assistance is received, the assessed valuation of the property is considered in determining eligibility of both children.

While real property is held in escrow, title to property does not pass to the purchaser but remains with the seller. Therefore, the assessed value of property placed in escrow is a factor in determining eligibility if the child or his parent is the seller.

If a parent or child does not have control of all or part of a trust of which he is the beneficiary, the real property in the trust or that portion of it not under his control shall not be considered in determining the real property holdings. If ownership of the trust is dependent upon the occurrence of a certain event, such as the beneficiary attaining the age of 21 years, such trust is not considered the property of the beneficiary until the stipulated event occurs.

If property is lost through foreclosure, title passes to the new owner immediately upon sale of property under the decree of foreclosure. The former owner only has an equity for redemption purposes. The assessed value of the property of a child or his parent lost through foreclosure is not considered in determining eligibility.

Real property may be owned under any of the following conditions:

1. As separate property,
2. As community property.
3. In joint tenancy,
4. In tenancy in common.
5. In a partnership,
6. By a corporation.

Differentiation of separate and community property may be necessary if there is a step-parent of a child for whom assistance is requested or granted, as the step-parent's share of community property or his separate property shall not be considered in determining eligibility of the child. Such differentiation would also be necessary if full custody of a child has been surrendered by a parent pursuant to a court order

(Section Continued on Next Page)

and there has been no property settlement, as the share of the community property and separate property of the parent not having custody of the child shall not be considered in determining eligibility of the child.

If property is held in joint tenancy or tenancy in common by one or more persons, the interest of each owner is deemed to be his equal proportionate share of the total assessed value of the property.

In considering land owned by an Indian, the value of lands held in trust for him by the U. S. Government shall not be taken into consideration in determining eligibility. The ward Indian has only an equitable interest in such lands and since title is held by the Federal Government, the property is not subject to assessment or taxation. However, an Indian may live on the reservation and still own land, not a part of the reservation, in his own right which shall be considered.

Sec. 4 ASSESSED VALUE OF REAL PROPERTY

4

The assessed value of real property shall be the current county assessed value, including exemptions allowed for tax purposes, as entered on the records of the assessor of the county in which the property is located.

The actual value of real property or its salability is not a factor in determining assessed valuation for eligibility purposes.

Property owned in other states or countries shall be included in the assessed value of real property. The local assessed value where the property is located shall be considered. The local assessed valuation of real property located outside the U. S. shall be considered on the basis of the rate of exchange in American dollars, e.g., if the Mexican Consul advised that property in Mexico was assessed at 1000 pesos and the rate of exchange was 5 pesos to 1 dollar, the assessed value of the property would be \$200.

Sec. 5 ENCUMBRANCES ON REAL PROPERTY

5

Encumbrances of record shall be deducted from the county assessed value of real property before the \$3000 limitation on county assessed value of real property is applied in determining eligibility.

Encumbrances include any debt for which the property is security but to be deductible, the encumbrance shall be a written record which requires the payment of money. Some of the more common types of encumbrances on real property are: mortgages, deeds of trust, delinquent tax liens, judgment liens, loans, mechanics' liens, builders' liens, assessments, attachments, etc.

Sec. 6 DETERMINATION OF REAL PROPERTY

6

The county shall determine the county assessed value of all real property owned by the child and his parents and all encumbrances of record.

If the applicant or person legally responsible for the child states that the child and his parents own no real property, no further investigation is necessary with respect to real property currently owned, unless conflicting information arises.

If the applicant or person legally responsible for the child states that the child or his parents own real property, an investigation shall be made. If a tax

(Section Continued on Next Page)

statement is available, it may be used to determine the assessed value of the real property. If a tax statement is not available, a review of the records of the county assessor, tax collector, or recorder shall be made to determine the amount of real property holdings.

If inconsistent or conflicting information arises, a property search shall be made in the locality in which the property is located, to determine ownership of property and, if property is owned, the county assessed valuation of property.

If an interest in real property such as unpatented mining claims, timber, oil, or mineral rights or leaseholds, cemetery property held for profit, etc., is owned, the assessed value shall be determined. If the assessed value is not otherwise obtainable, the county shall ask the county assessor to make a determination of its assessed value, which shall be used in establishing eligibility. If it is impossible to obtain the county assessed value, the quick sale value of the property shall be obtained and this value substituted for the county assessed value.

For the purpose of establishing eligibility, if the assessed value of other real property holdings approaches the maximum, the value of any cemetery, mausoleum, or columbarium property intended for the use of the owner or his family shall be determined in accordance with the assessed value of similar property which is held for profit in the same or comparable cemetery, mausoleum, or columbarium.

If there is a question regarding ownership of, or assessed valuation of, property in another county within the state and tax statements are not available, the county may request a property search by correspondence with the county welfare department in the county in which the property is located. Questions regarding valuation of property located outside the state may be cleared with the county assessor, or other proper public official, or the county welfare department in the locality in which the property is located.

To determine ownership and assessed valuation of real property located outside the U. S., the county may correspond with the unit of government or public official concerned if no language barrier exists. If a language barrier exists, inquiry may be directed to an American Consul in the country concerned. The nearest representative of the other country may also be consulted.

If exemptions for tax purposes are deducted from the assessed value before entry in the assessor's record or on the tax statement, the exact amount of exemption shall be added to the recorded sum to determine the true assessed value.

The existence, amount, and duration of all encumbrances to be deducted from the assessed value of real property shall be determined. A search of the county recorder's records may be necessary for determination of an encumbrance. However, this information can usually be obtained by inspection of the document in the owner's possession or by interview or correspondence with the holder of the mortgage or note.

If at any time a child for whom assistance is granted, or his parent, becomes possessed of real property in excess of the maximum allowed, the applicant or person legally responsible for the child is responsible for notifying the county immediately.

The investigation shall include a follow-up of any statement or information obtained regarding the possibility of property ownership through the existence of an estate. If property is inherited during the receipt of assistance and is available to the child or his parents prior to distribution of the estate or the estate is distributed, its value shall be determined and considered together with the value of other real property holdings.

(Section Continued on Next Page)

Information pertaining to real property and encumbrances thereon shall be retained in the county files or recorded in the county record. The report of interviews or of examination of documents shall include the source, the findings, the dates of steps in the investigation, and the names of those participating in the investigation. A complete explanation of any complicated situation regarding the property shall be included in the record.

If a statement is made on the Affirmation of Eligibility, Form CA 206, that the child or his parents has not acquired real property since the last investigation and a previous determination of real property is included in the record, no further determination need be made unless conflicting information arises. In all cases in which property is owned, the current assessed valuation of property shall be redetermined by review of the current tax statements to insure that eligibility has not been affected by an increase in assessed value of real property. The county shall also redetermine the amount of encumbrances of record against the property.

If changes in property holdings are reported on Form CA 206 or otherwise come to the attention of the county, a complete redetermination of property holdings shall be made. If real property has been acquired by purchase, exchange, or gift, the assessed valuation shall be determined together with the assessed value of all other property owned to ascertain that the total assessed value of all property owned does not exceed \$3000. If property is purchased, the terms of the purchase and plan of payment shall be ascertained.

Sec. 7 PERSONAL PROPERTY REQUIREMENTS

7

A child shall be considered eligible with respect to personal property if the cash and securities owned by a whole orphan child or by the parents and one or more children combined in one family do not exceed \$600. Even though the parents are living separate and apart, the cash and securities of both parents shall be considered, except:

1. If full custody of the child has been surrendered by a parent pursuant to a court order, that parents' cash and securities shall not be considered. However, if there has been no property settlement, the share of community cash and securities of the parent who has custody as well as his separate cash and securities, if any, shall be considered in determining eligibility. If there has been a property settlement the property awarded the parent having custody of the child along with any other property of that parent shall be considered. Court orders for support of the child or property settlements involving income shall constitute a potential source of income, therefore, the investigation and determination of the availability thereof shall be made in accordance with Department Bulletin 376.
2. If a parent has relinquished the child for adoption and the relinquishment has been filed with the SDSW the cash and securities of the parent shall not be considered.
3. If the father of the child is not married to the mother and the parents are not maintaining a home together, the property of the father shall not be considered, unless the father has legitimated the child under Section 230 of the Civil Code.

Each whole orphan of a group of whole orphans of one family may have cash and securities valued at \$600. The parents and one child or the parents and several children may have combined cash and securities valued at \$600.

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Personal property considered in determining eligibility shall be restricted to cash and securities.

A. Personal Property at the Time of Application

1. Cash includes:

- a. Cash on hand
- b. Commercial or savings accounts
- c. Postal savings accounts
- d. Building and loan accounts

2. Securities include:

- a. Current net cash surrender value of insurance, excluding policies in effect five years or longer if the aggregate net value at maturity does not exceed \$1,000.
- b. Market value of stocks, bonds, notes, mortgages, deeds of trust, etc.
- c. An heir's interest in an undistributed estate if the property in the estate is cash or securities and is available prior to the distribution.

B. Increase of Personal Property While Receiving Assistance

1. The following shall be considered personal property immediately upon receipt and thereafter:

- a. Cash received in a lump sum from the surrender or maturing of insurance policies owned by the parents or the child.
- b. Cash received as beneficiary of an insurance policy carried by a deceased spouse, including OASI lump sum death payments received by the parent (or child if he is a married minor) as spouse of an insured worker.
- c. Payments received because of judgments or nonrecurring lump sum payments received because of compensation laws.
- d. Cash or securities received by inheritance.
- e. Nonrecurrent lump sum payments received from retirement or pension systems of which he or she was a former member; e.g., State Employees Retirement System, Federal Employees Retirement Fund under the U. S. Civil Service Commission, retirement plans of private corporations, etc.
- f. Proceeds, exclusive of interest, from the conversion of personal property, such as the sale of stocks or bonds, or the sale of real property.

(Section Continued on Next Page)

- g. Proceeds resulting from the sale of an entire holding of live-stock, poultry, etc.
 - h. A trust, if the property is actually available in whole or in part.
2. Cash or securities received from any of the following sources shall be considered as income for the month received. The amount which remains from such income as of the first of the following month shall be considered as personal property together with other personal property holdings.
- a. Proceeds from farm crops
 - b. Commissions
 - c. Regular periodic compensation payments, both industrial and unemployment
 - d. Annual rentals for farm lands
 - e. Earnings of personal property such as interest or dividends
 - f. Cash received by eligible children as beneficiaries of an insurance policy, or by parents, except when the parent or married minor child is a beneficiary of a spouse's insurance policy.

Sec. 9 OWNERSHIP OF PERSONAL PROPERTY

9

The term "owner" includes all persons who hold title, either legal or equitable, to personal property, regardless of its location.

Personal property is considered to be owned if it is held under any of the following conditions:

- 1. Clear of all indebtedness.
- 2. Subject to a mortgage, or other obligation against it, or if it has been placed as collateral.
- 3. Subject to purchase from another party under a conditional sales contract.
- 4. Subject to sale to another party under a conditional sales contract.
- 5. In an undistributed estate if the property is actually available prior to distribution of the estate.
- 6. In a trust if the property is actually available in whole or in part.

The full market value of notes or other securities which have been assigned or placed as collateral to assure payment of certain debts shall be considered in determining eligibility for assistance, unless actual transfer of ownership is affected.

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- a. Proceeds resulting from the sale of an entire holding of livestock, poultry, etc.
- b. A fund, if the property is actually available in whole or in part.

Each or several received from any of the following sources shall be considered as income for the month received. The amount which remains from such income as of the first of the following month shall be considered as personal property together with other personal property belonging.

- a. Proceeds from farm crops
- b. Commissions
- c. Regular periodic compensation payments, both industrial and non-industrial
- d. Annual payments for farm lands
- e. Payments of personal property such as interest or dividends
- f. Cash proceeds by eligible children as beneficiaries of an insurance policy, or by parents, except in the event of married women who in a beneficiary of a spouse's insurance policy.

Sec. 3. OWNERSHIP OF PERSONAL PROPERTY

The term "owner" includes all persons who hold title, either legal or equitable, to personal property, regardless of its location.

Personal property is considered to be owned if it is held under any of the following conditions:

1. Clear of all indebtedness.
2. Subject to a mortgage, or other obligation against it, or if it has been placed as collateral.
3. Subject to purchase from another party under a conditional sales contract.
4. Subject to sale to another party under a conditional sales contract.
5. In an undivided estate if the property is actually available prior to distribution of the estate.
6. In a fund if the property is actually available in whole or in part.

The full market value of notes or other securities which have been assigned or placed as collateral to secure payment of certain debts shall be considered in determining eligibility for assistance, unless actual payment of principal is received.

The child's or his parent's share of any estate, which share has not been distributed and of which either has no present economic use, shall not be considered.

Funds held in an escrow account, which can be revoked only upon the consent of all parties involved, are not available for use and shall be disregarded in determining eligibility. Pending actual conveyance of title to the purchaser, funds placed in escrow by him for the purchase of a specific piece of property do not affect eligibility of either the purchaser or the seller. When all conditions of the sale, or other conditions which the escrow guarantees, have been met and the escrow is completed, the personal property thus becoming available to the seller shall be considered in determining eligibility for assistance.

If a child or parent does not have control of all or part of a trust of which he is the beneficiary, the personal property in the trust or that portion not under his control shall not be considered in determining personal property holdings. If ownership of the trust is dependent upon the occurrence of a certain event, such as the beneficiary attaining the age of 21 years, such trust is not considered the property of the beneficiary until the stipulated event occurs.

If assets are frozen, i.e., unavailable to the owner through no voluntary act on his part and unobtainable by any voluntary act on his part, they shall not be considered in determining eligibility. An interest as evidenced by deposits, certificates of ownership, etc., in defunct banks, building and loan associations, or other organizations may be frozen insofar as obtaining funds from the particular bank, or other institution, is concerned. However, the interest in such property may be salable at a discount. Such salable value represents personal property to be considered in determining eligibility.

Personal property may be owned under any of the following conditions:

1. As separate property.
2. As community property.
3. In joint tenancy.
4. In tenancy in common.
5. In a partnership.
6. By a corporation.

Differentiation of separate and community personal property may be necessary if there is a step-parent of a child for whom assistance is requested or granted, as the step-parent's share of community property or his separate property shall not be considered in determining eligibility of the child. Such differentiation would also be necessary if full custody of a child has been surrendered by a parent pursuant to a court order and there has been no property settlement, as the share of the community property and separate property of the parent not having custody of the child shall not be considered in determining eligibility of the child.

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The personal property which is the exclusive property of a child who is not eligible for ANC shall not be considered in determining the eligibility of other children in the family.

If a child in a family group has an amount in trust which is restricted for his use alone by the terms of the trust or by court order, and which is in excess of the \$600 allowed, the other children in the family shall not be disqualified for assistance because of this fact.

Example: Mary, one of five children for whom application is made by their mother, has \$1,000, which was awarded her because of injuries in an accident. By court order it is set aside for her use only. Mary would not qualify for assistance, but the eligibility of the other children would not be affected.

If there are no restrictions on the use of money received as a judgment, or from other sources, such money shall be presumed to be available to the family and shall be considered in determining eligibility.

A person named as co-owner and having possession of a U. S. savings bond shall be presumed to be the owner thereof, unless such ownership is refuted. If the contention is made that all of the funds used to purchase the bond did not belong to the person and that the bond was not a gift, that interest which is determined as belonging to the child or his parent shall be considered in determining eligibility. The person whose name appears on the bond as co-owner and who does not have possession of such bond shall be presumed not to own any part of the bond, unless such lack of ownership is refuted. Upon the death of one co-owner the surviving co-owner of any savings bond or other bonds and obligations of the U. S. becomes the sole owner, unless Federal laws or regulations governing the issuance thereof provide otherwise.

Sec. 10 INSURANCE AS PERSONAL PROPERTY

10

Personal property shall include the value of all life insurance policies on the parents and children to the following extent:

1. If the policy has been in effect less than 5 years, consider the current net cash surrender value of the entire policy.
2. If the policy has been in effect five years or more, consider the current net cash surrender value of that portion of the total net maturity value of the policy which exceeds \$1,000. If there is more than one such policy, consider the current net cash surrender value of that portion of the total net maturity value of the aggregate policies which exceeds \$1,000.

Personal property shall not include insurance policies which have been in effect 5 years or more if the aggregate net maturity value is in an amount of \$1,000 or less.

Example A: A father is the only member of the family with an insurance policy. The father's policy, issued 1/15/25, has a face value of \$2000 but there is a loan against the policy of \$500 making the net value at maturity \$1500. The current net cash surrender value of the policy is \$900. The first \$1000 of the net value at maturity is exempt from consideration. Therefore, the current net cash surrender value of \$500 (that portion of the net value at maturity which exceeds \$1000) constitutes personal property, the value of which is determined to be \$300 as follows:

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$$\begin{array}{rcl}
 & \$500* & \times \quad \$900 \text{ net cash} \\
 & & \text{surrender value} \\
 * \$1500 \text{ net value at maturity minus} & & = \$300 \\
 \$1000 \text{ exemption} & & \text{\$1500 net value at} \\
 & & \text{maturity}
 \end{array}$$

Example B:

A family owns insurance policies as follows:

| Policy | Issued | Face Value | Loans | Net Value at Maturity |
|-----------------------------|---------|------------|-------|-----------------------|
| 1 | 6/5/49 | \$500 | | \$500 |
| 2 | 5/3/33 | \$900 | \$100 | \$800 |
| 3 | 6/15/32 | \$200 | | <u>\$200</u> |
| Total net value at maturity | | | | \$1500 |

Policy 1 has been in effect less than five years. Therefore the current net cash surrender value of this policy must be determined and included with the value of other personal property. Since both policies 2 and 3 have been in effect more than five years and the aggregate net maturity value of the two policies is \$1000, these policies are not considered in determining eligibility and it is not necessary to determine the current net cash surrender value of them.

If total insurance holdings of a family consisting of a number of policies which have been in effect five years or more have a net maturity value in excess of \$1,000, the current net cash surrender value of that portion of the insurance to be eliminated from consideration as personal property shall be determined by the combination of such policies which best operates to the advantage of the child.

An insurance policy which has no cash surrender value is not an available resource for the support of the child and has no effect upon the personal property status.

The following definitions of life insurance terms may be helpful in considering the value of life insurance policies.

Net value at date of maturity is determined by adding the amount of paid-up additions, if any, to the face value of the policy and subtracting the amount of any loans made by the company against that policy.

Date of maturity is the date on which the net value at maturity becomes due and payable. Most insurance policies do not mature until the death of the insured. A "20 or 30 pay" life insurance policy normally matures upon the death of the insured and not with the completion of the premium payments or at the end of any specified period of time. However, the net maturity value of an endowment policy becomes payable at the expiration of a specified period, i.e., 20 years in the case of a 20-year endowment. Upon reaching the maturity date, the net maturity value of the policy becomes personal property to be considered in determining eligibility. The fact that the insured elects to leave the funds representing the maturity value of the endowment policy on deposit with the company does not alter this situation.

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Current net cash surrender value is determined by subtracting from the cash surrender value of the policy or policies the amount of any loans made by the company against that policy or policies, and unpaid interest thereon.

Date of policy is the date on which the policy was issued, and this date shall be considered in determining the age of the policy. However, when a new or adjusted policy is issued in lieu of another, and the original policy gave the insured the option of converting it, the converted policy is treated as a continuation of the original, and the date of issuance of the original policy is considered. A new policy issued not by reason of any rights granted in the original policy but as a new and unrelated contract, is considered to have been in existence only from the date the policy was issued.

Annuities usually are irrevocable and have no cash or loan value. If annuities have a cash surrender value, this value shall be considered as personal property unless the insurance falls within the exemption allowed in the law.

Paid up additions to the policy may be purchased with the dividends earned by the policy according to an option given to the insured by some companies. If accumulated dividends have been converted into paid-up additions, the amount of the additions shall be considered in determining the net value of the policy at maturity. If the dividends are not used to purchase additions to the policy, but remain with the company where they are available to the applicant upon demand, the amount of such dividends represents personal property which shall be considered in determining eligibility.

The parents of a child who was considered ineligible in the past (or would have been ineligible had application been made) because of the cash surrender value of life insurance held by the parents or children may subsequently borrow on such insurance. If loan is made against the policy or policies of insurance for the purpose of immediate maintenance of the insurance or the family or adjustments are made for some other purpose than to qualify for assistance, eligibility is not impaired, provided personal property holdings are within the maximum, even though the loan against the insurance may have reduced the current net cash surrender value in sufficient amount to render the child no longer ineligible because of personal property.

Sec. 11 JUDGMENTS, COMPENSATION, INHERITANCE, AND GIFTS AS PERSONAL PROPERTY 11

A lump sum received as the result of compensation laws or in payment of a punitive judgment granted because of damages sustained by either the person or property of the child or parent represents personal property.

If weekly or other periodic payments are received as benefits under the provision of compensation laws, such payments represent income rather than personal property.

The value of a judgment which has not been executed shall be considered in determining eligibility under personal property requirements. If the judgment is against a solvent corporation, the value of the judgment shall be considered to be equal to the amount of the judgment. If the judgment is against someone other than a solvent corporation, the county shall determine the ability of the judgment debtor to pay.

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If the judgment cannot be executed because the debtor or his property cannot be located, or the judgment creditor has the judgment vacated, the value of the judgment shall not be considered in determining eligibility.

If a judgment is the subject of an action brought by the judgment debtor in a higher court to vacate the judgment, and the judgment creditor is prohibited from executing the judgment, that portion of the value of the judgment remaining unsatisfied shall not be considered in determining eligibility while court action is pending.

A cash settlement accepted in lieu of a judgment is considered personal property.

The value of personal property acquired through inheritance shall be taken, considered together with the value of other personal property holdings in determining eligibility. However, if the parent or married minor child receives personal property through the death of the spouse, or is the beneficiary of insurance of a spouse or of a child, such property or funds may be considered as being encumbered or charged with the funeral expenses of the deceased. If determination is made that all or a portion of such property or funds have been or are to be used to defray such expenses, these funeral costs shall be deducted before determining the net value of the property. Only the net value, computed after deduction of funeral expenses, shall be considered in determining eligibility.

The value of personal property acquired by gift shall be considered in determining eligibility. A gift is the separate property of the person receiving it.

Sec. 12 DETERMINATION OF PERSONAL PROPERTY

12

The county shall determine the value of all cash and securities owned by the child, his parents, and minor siblings in the family group.

If the applicant or person legally responsible for the child states that the child, his parents, and minor siblings in the family group own no cash or securities, no further investigation is necessary with respect to personal property currently owned, unless conflicting information arises.

If the applicant or person legally responsible for the child states that the child, his parents or minor siblings own cash or securities, an investigation shall be made.

The statement of the applicant or person legally responsible for the child shall be accepted as evidence of cash on hand and may be accepted as evidence of cash in safety deposit boxes.

Determination of the amount of funds in a bank account, postal savings accounts, or building and loan associations shall be made from the individual's account book, unless the book is not available or there is conflicting information. In such situations information shall be secured from the institution concerned, either by the applicant or the county.

If a parent's or child's name appears with that of another person on a joint or trustee account, there is the presumption that the parent or child is the owner of all of the funds in the account. If the parent contends that all of the funds in the account do not belong to him or the child, effort shall be made to establish his interest in it. That portion which is established as belonging to the parent or child is considered in determining eligibility. Oral or written statements as to the

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ownership of the funds shall be secured from all the parties concerned in a joint account. If it is not possible to secure statements from all the parties to the account or the statements do not agree as to the ownership of the funds, further evidence shall be secured.

If a building and loan association or other financial concern in which money is deposited is in process of liquidation under receivership proceeding, the current market value of the building and loan certificates or other evidence of interest therein shall be considered rather than the actual amount deposited with the company.

The current market value of notes, mortgages and deeds of trust, i.e., the amount which could be realized if such instruments were offered for quick sale, shall be ascertained and considered in determining eligibility. An estimate of the current market value of notes, mortgages, and deeds of trust shall be secured from local bankers, realtors, loan companies, or others qualified to make such estimates.

The actual current market value of stocks and bonds shall be considered in determining the value of personal property holdings.

The current market value of United States Savings Bonds (Series A to E, inclusive) increases according to the table of values on the back of the bonds. Redemption values increase on the anniversary dates which fall at six month intervals following the first of the month in which the bond was originally issued. Redemption values for several denominations of Series E bonds are listed in the following table:

SERIES E WAR BONDS

| <u>Year after month of issuance</u> | <u>\$25</u> | <u>\$50</u> | <u>\$100</u> |
|---|-------------|-------------|--------------|
| -- $\frac{1}{2}$ | \$18.75 | \$37.50 | \$75.00 |
| $\frac{1}{2}$ --1 | 18.75 | 37.50 | 75.00 |
| 1-- $1\frac{1}{2}$ | 18.87 | 37.75 | 75.50 |
| $1\frac{1}{2}$ --2 | 19.00 | 38.00 | 76.00 |
| 2-- $2\frac{1}{2}$ | 19.12 | 38.25 | 76.50 |
| $2\frac{1}{2}$ --3 | 19.25 | 38.50 | 77.00 |
| 3-- $3\frac{1}{2}$ | 19.50 | 39.00 | 78.00 |
| $3\frac{1}{2}$ --4 | 19.75 | 39.50 | 79.00 |
| 4-- $4\frac{1}{2}$ | 20.00 | 40.00 | 80.00 |
| $4\frac{1}{2}$ --5 | 20.25 | 40.50 | 81.00 |
| 5-- $5\frac{1}{2}$ | 20.50 | 41.00 | 82.00 |
| $5\frac{1}{2}$ --6 | 20.75 | 41.50 | 83.00 |
| 6-- $6\frac{1}{2}$ | 21.00 | 42.00 | 84.00 |
| $6\frac{1}{2}$ --7 | 21.50 | 43.00 | 86.00 |
| 7-- $7\frac{1}{2}$ | 22.00 | 44.00 | 88.00 |
| $7\frac{1}{2}$ --8 | 22.50 | 45.00 | 90.00 |
| 8-- $8\frac{1}{2}$ | 23.00 | 46.00 | 92.00 |
| $8\frac{1}{2}$ --9 | 23.50 | 47.00 | 94.00 |
| 9-- $9\frac{1}{2}$ | 24.00 | 48.00 | 96.00 |
| $9\frac{1}{2}$ --10 | 24.50 | 49.00 | 98.00 |
| 10 | 25.00 | 50.00 | 100.00 |

Example: A \$25 Series E Bond purchased June 24, 1949, is worth \$18.75 through May 31, 1950. On June 1, 1950 (the first day of the anniversary month), the value increases to \$18.87, on December 1, 1950, to \$19.00, on June 1, 1951, to \$19.12, etc., according to the values given on the back of the bond.

(Section Continued on Next Page)

All pertinent information regarding insurance policies carried in the name of the parent or child shall be determined.

Determination shall be made by examination of the policies or, if the policies are not available or do not contain sufficient information, through correspondence with the insurance company. Determination shall be made even though the premiums may be paid by other than the insured. The county record shall contain the following information regarding each policy: type of policy, date of issuance of policy, amount of premiums and by whom paid, current net cash surrender value, face value, loans outstanding, value at maturity, beneficiaries, disability or other special benefits.

In determining the value of an inheritance, if any, which is available before distribution, consideration shall be given to known indebtedness and to an estimate of the administrative costs exclusive of inheritance taxes. This estimate of administrative expense (exclusive of inheritance tax) shall be deducted from the appraised value as filed with the probate court in determining the net amount of personal property available prior to distribution.

If two or more heirs have an undivided interest in an undistributed estate which is in fact available prior to distribution, each is considered to have an interest in proportion to the number of known heirs.

The value of personal property may increase or decrease due to the fluctuating nature of the value of individual holdings; for example, the value of stocks and other securities. In general, the current net cash surrender value of insurance increases with the lapse of time.

If the value of personal property holdings of the parent or child approaches the maximum permitted under the law, a slight variation in the value of an individual holding may affect eligibility, and a redetermination of the value is necessary at frequent intervals. If personal property is of fluctuating value and approaches the maximum, its value shall be redetermined at least every three months.

If changes in the value of personal property holdings as previously determined are reported, a complete investigation of all personal property holdings shall be made. If there is a marked deviation in personal property holdings from those possessed when the preceding investigation was made, the reason for such deviation shall be determined and reported in the case record. If personal property was formerly substantial in amount and the amount has been appreciably reduced, funds may have been converted into other forms of personal property. If there has been an appreciable increase in personal property; e.g., a bank account, the source of the increase shall be ascertained.

Personal property of one type may be converted into personal property of another type and eligibility continue, so long as the total value of personal property holdings does not exceed \$600, e.g., the exchange of stocks and bonds for cash.

The following represent some types of conversion of property from one form to another:

1. Principal payments on property sold under contract of sale and principal payments received on a mortgage or similar instrument,
2. Payment received for Indian allotments sold by the U. S. Government upon the petition of the Indian for whom the property is held in trust.

(Section Continued on Next Page)

3. Lump sums received from the maturing of life insurance policies or surrender of them for their cash value.

If at any time a child or parent becomes possessed of personal property in excess of \$600, the applicant or person legally responsible for the child is responsible for notifying the county immediately. The county shall redetermine eligibility on the basis of present holdings.

All information pertaining to personal property shall be retained in the county file or recorded in the county record. The report of interviews or of examination of documents shall include the source, the findings, the dates of steps in the investigation, and the names of those participating in the investigation. A complete explanation of any complicated situation regarding the property shall be included in the record.

If a statement is made on the Affirmation of Eligibility, Form CA 206, that the child or his parents has not acquired personal property since the last investigation and a previous determination of personal property is included in the record, no further determination need be made unless conflicting information arises. In all cases in which cash or securities owned, the current value of property shall be redetermined to insure that eligibility has not been affected by an increase in value of property.

If changes in property holdings are reported on Form CA 206 or otherwise come to the attention of the county, a complete redetermination of property holdings shall be made. If personal property has been acquired by purchase, exchange or gift, the current value shall be determined together with the value of all other personal property owned to ascertain that the total value of all property owned does not exceed \$600.

Sec. 13 TRANSFER OF PROPERTY FOR PURPOSE OF QUALIFYING
FOR ASSISTANCE

13

A voluntary transfer or assignment of real or personal property made for the purpose of qualifying for ANC results in ineligibility.

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency).

Myrl B. Williams
(Signature)

Director
(Title)

12-30-49
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
December 30, 1949

FILED

In the Office of the Secretary of State
of the State of California

DEPARTMENT BULLETIN NO. 390 ANB (SB)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

DEC 30 1949

At 4 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Subject: Aid to Needy Blind--
Eligibility Requirements
Effective March 1, 1950

Article XXVII of the State Constitution which becomes operative on March 1, 1950, restores all of the provisions of the Welfare and Institutions Code which were in effect prior to January 1, 1949, and amends Section 3084 to provide a maximum grant of \$85 a month.

The provisions of Division 5, Part I, Chapter I of the Welfare and Institutions Code will govern in determining which cases are eligible on March 1, 1950. An Aid to the Blind Handbook is being prepared and will be released as soon as it is ready.

The following rules and regulations are based on the Code provisions. All existing rules and regulations which are in conflict with the provisions of the Welfare and Institutions Code are cancelled effective March 1, 1950.

I. Amount of Aid to Needy Blind

Article XXVII provides that the maximum grant of Aid to Needy Blind shall be \$85 a month as of March 1, 1950. The minimum need of a blind individual applicant or recipient is \$85 a month.

Payments to recipients who live with ineligible spouses and/or in family groups shall not be construed as meeting the needs of other than the blind individual. This does not preclude the pro-rating of such continuing needs as are shared in common with ineligible spouses and/or families. (See Manual Section 158-40, Determination of Income and Resources - ANC)

If the total need exceeds \$85, the difference between total need and any income received represents the amount of aid to be paid except that in no case may the grant exceed \$85 a month. The sum of the grant and the income shall not exceed total need. The method of determining the amount of the payment remains unchanged. Department Bulletins No. 359, dated February 16, 1949, and 359A, dated February 24, 1949, remain in effect. Any provisions in the Department Manual concerning the amount of Aid to Needy Blind which are in conflict with the provisions of Bulletins 359 or 359A, are hereby rescinded.

II. Payment of Aid

The Welfare and Institutions Code provisions relative to the delivery of warrants are re-instated, i.e., warrants shall be delivered to recipients on, or as near as possible to the first business day of the month; but shall not be delivered prior to the first day of the month.

If for any reason an applicant or recipient does not receive payment in the amount to which he is entitled as of March 1, 1950, payment shall be made as outlined in Manual Section 361-25, Retroactive Aid Payments by County - revised December 29, 1949.

III. Beginning Date of Aid to Needy Blind

The beginning date of aid on every new application is determined by the law as follows:

1. Aid shall begin on the date the application is signed if the application is granted by the board of supervisors in the same month in which the application is signed.

EXAMPLE: Application signed September 6, granted by board of supervisors September 21. Aid begins September 6.

2. Aid shall begin on the first day of the month in which the application was granted by the board of supervisors when the application was signed in a previous month and 90 days or less have elapsed between the date the application was signed and the date aid was granted by the board of supervisors.

EXAMPLE: Application signed September 6, granted by board of supervisors November 16. Aid begins November 1.

3. When the investigation of the application is not completed by action of the board of supervisors within 90 days from the signing of the application, and aid is granted on the 91st or some subsequent day, aid shall begin on the first day of the month during which the 90-day period ends. (See Manual Section 611-70, Retroactive Initial Payments).

The day following that on which the application is signed represents the first day of the investigation period. When the 90th calendar day falls on a Sunday or legal holiday, the following day is considered the 90th day. The date on which the board of supervisors acts on the application is the day on which the investigation is completed.

EXAMPLE: Application signed September 6. Granted by board of supervisors February 6. As the 90-day period ended December 5, aid is paid from December 1.

III. (Continued)

4. When an application for aid has been improperly denied and such action is later rescinded, aid shall begin on the date aid would have begun had there been no denial action. (See Secs. 201-25, When Application to be Taken, and 361-25, Retroactive Aid Payments by County).
5. Aid shall begin on the date specified by the State Social Welfare Board in an order awarding aid. (See Section 325-70, Decision by SSWB).

The beginning date of aid shall not antedate the signing of the application. Exception: When the recipient transfers from one county to another, the beginning date of aid in the second county may antedate the signing of the application in the second county. (See Section 122-50, Removal from County of Residence).

If investigation established eligibility only from a date subsequent to the date when aid should be effective under the provisions of the Welfare and Institutions Code Secs. 3082 and 3084, aid shall not be granted prior to the date on which the applicant became eligible as established by the investigation. If eligibility is dependent upon medical evidence (physician's examination), the condition described in such evidence shall be considered to have existed from the first of the month in which the deciding medical examination is made. (See Manual Section 180-25).

IV. Notification to Applicant and/or Recipient

Immediately following action by the board of supervisors, the applicant shall be notified of the disposition of his application and of his right of appeal to the State Department of Social Welfare for a fair hearing, and of his right to a hearing before the board of supervisors.

Every notification of denial shall include a clear statement of the circumstances in the particular case which made the applicant ineligible.

In addition to the above requirements, the notification to the recipient shall include:

1. The source of income and amount of deductions when aid is granted in less than the maximum amount.
2. The amount of total need when the total verified need of the individual is determined to be in excess of the statutory maximum.

If a recipient requests it, he shall be provided with a statement of the particular items of special need allowed, the amount allowed for each item, and the total need. (See Manual Section 250-10, Reporting Action of the Board of Supervisors to Applicant).

V.

Payment to Recipients Out of State

Manual Section 123-05 regarding continuance of aid for not more than one year for recipients absent from the State unless unusual circumstances exist is suspended. Payment is to be continued to such persons who are otherwise eligible until such time as further instructions are issued. (See Department Bulletin 349 issued 1/20/49 which remains in effect.)

VI.

Property

Department Bulletin No. 378 is no longer effective. As of March 1, 1950, aid shall not be granted to an applicant or recipient who owns real and/or personal property if the county assessed value, less encumbrances of record, is in excess of \$3500. Of this \$3500 limitation on real and/or personal property, not more than \$600 may be in cash, securities, and cash surrender value in insurance unless there is a plan for self-support. (See State Department Manual of Policies and Procedures, Chapter "Real Property" and Chapter "Personal Property".)

Neither shall aid be granted to any person who together with his spouse owns real property when the county assessed valuation, less all encumbrances of record, exceeds \$3500. If the spouse of the applicant or recipient owns separate real property, that ownership shall not affect the eligibility of the blind applicant or recipient. (See Department Bulletin 358 issued February 16, 1949, which remains in effect.)

The former requirement of a routine two-year property search is no longer effective. Manual Section 135-40; Real Property Search will be revised accordingly. The applicant's statement with regard to ownership of property may be accepted unless there is reason to believe that there is property owned and not declared or there has been a transfer of property for the purpose of qualifying for aid. If the applicant declares ownership of property and has available the most recent tax receipt, this may suffice as verification of the assessed value; otherwise, verification shall be made by examination of the assessor's rolls.

A. Personal Property which SHALL be Included in the \$600 Limitation on Cash, Securities, and Cash Surrender Value in Insurance.

1. Money - The amount on hand or in a safe deposit box (see Manual Section 143-35); in a bank or postal savings account (see Manual Section 143-37).

Exception: Money (if retained in cash or securities) received by a recipient from the involuntary conversion of real property, shall be considered real property during the one-year period subsequent to the date payment was received. There must be verification of the fact that the conversion of the property was involuntary. (See Manual Section 146-00.)

Note Under Article XXV, funds received from the voluntary sale of the home is considered real property for a period of six months from the date of receipt. Effective March 1, 1950, any funds (cash or securities) which remain from a voluntary sale of the home represent personal property.

2. Stocks and bonds (including war bonds and government savings bonds) - When stocks and bonds are assessed, the assessed value shall be used; if not assessed, the current market value represents personal property. (Manual Sections 143-55 and 143-57.)
3. Notes, Mortgages and Deeds of Trust - The current market value represents personal property. (See Manual Section 143-45.)
4. Life Insurance Policies - Personal property includes the net cash surrender value of policies on the life of the applicant or recipient which have been in effect less than five years.

When the policy or policies of insurance on the life of the applicant or recipient have been in effect five years or more, the net cash surrender value of that portion of the insurance which exceeds a net maturity value of \$1000 shall be considered in determining the value of personal property holdings. (See Manual Section 143-83.)

In the case of a married couple each is considered to have a one-half interest in the net cash surrender value of policies carried by either. Insurance on the life of an eligible or ineligible spouse is subject to the same exemption outlined in the paragraph immediately above; i.e., each spouse is considered to have a one-half interest in the net cash surrender value of that portion of the insurance which exceeds a net maturity value of \$1000.

B. Personal Property which Shall NOT be Included in the \$600 Limitation on Cash, Securities, and Cash Surrender Value in Life Insurance.

1. Livestock, Fowl and Farm Equipment - The assessed value represents personal property.
2. Commercial or Other Business Enterprise - Personal property includes the assessed value of an interest in a business enterprise as represented by the stock on hand, fixtures and equipment, and "accounts receivable." (See Manual Section 143-60.)
3. Personal Property Being Purchased or Sold Under Conditional Sales Contract - If the property is being purchased, the assessed value of the purchaser's equity represents personal property. The purchaser's equity is the difference between the assessed valuation of the goods being purchased and the remainder due on the contract. (See Manual Section 144-00.)

If the property is being sold under conditional sales contract the assessed value of the article being sold represents personal property. (See Manual Section 144-05.)

4. Automobile and Other Motor Vehicles - The value of automobiles, trucks and other motor vehicles shall be determined on the basis of the vehicle license fee reported on the State Motor Vehicle Department registration card. (See Manual Section 143-75; Determination of Value of Automobiles, Trucks, and Other Vehicles, revised December 29, 1949.)

C. Personal Property Not Included in the Property Limitation Under Welfare and Institutions Code, i.e., \$3500 assessed value of real and/or personal property.

1. Interment plots and money placed in trust or insurance for funeral or interment expenses when such money or insurance does not exceed \$500 in value. (See Manual Sections 143-83 and 144-08.)
2. The net cash surrender value on \$1000 of insurance on the life of the applicant or recipient when the policy or policies have been in effect five years or more. (In the case of a married couple each is considered to have a one-half interest in the net cash surrender value of policies carried by either.)

VII. Payments to Inmates of Public Institutions

Manual Section 162-05; Eligibility of Public Institutions Inmates and Parolees - has been revised to provide that the applicant who is an inmate of a public institution may receive his first warrant while still in the institution; however, not more than one warrant may be given while the applicant is in the institution. (See Manual Section 162-05, revised December 29, 1949.)

VIII. Residence

It is required that the case record contain information concerning period of county residence for all applications approved for aid to begin on or after March 1, 1950; also that information concerning length of county residence be obtained and recorded as soon as possible for those persons granted aid since January 1, 1949. Further instructions regarding county residence will be issued at a future date. A person who has less than the required county residence is not ineligible if he meets the other eligibility requirements.

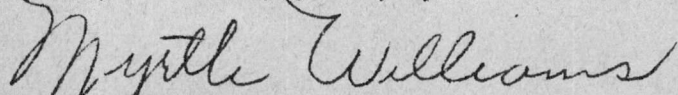
IX. Application

Current recipients shall not be required to sign a new application for continued payment of Aid to Needy Blind.

The application form (Bl 200) is being revised and the new form will be used by persons making application on and after March 1, 1950.

Any Manual Sections which are in conflict with the rules contained herein will be revised. All other Manual Sections remain in effect.

Very sincerely yours,



MYRTLE WILLIAMS, Director
Department of Social Welfare

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Myrtle Williams
(Signature)

Director
(Title)

12-30-49
(Date)

W+SC 103,2140
HARVEY WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
December 30, 1949

FILED

In the Office of the Secretary of State
of the State of California

DEPARTMENT BULLETIN NO. 389 (OAS)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

DEC 30 1949

At _____ o'clock _____ M.
FRANK M. JORDAN, Secretary of State

By _____ Deputy

Subject: Old Age Security Eligibility
Effective March 1, 1950

Article XXVII (Proposition 2) re-enacted the provisions of the Welfare and Institutions Code as effective prior to January 1, 1949, and they again become operative on March 1, 1950, except that under Article XXVII the maximum Old Age Security grant remains at \$75 a month.

All recipients who do not meet the qualifications to receive security under the re-enacted Code provisions must be discontinued effective February 28, 1950. These include persons:

- (1) Who will not have reached the 65th birthday by March 1, 1950.
- (2) Whose personal property holdings are in excess of \$600.
- (3) Whose five year period of State residence does not include the one year immediately preceding March 1, 1950.
- (4) Whose real property (including that of the spouse, if married) exceeds \$3500 net county assessed valuation.

I. Persons Who Will Not Have Reached the 65th Birthday by March 1, 1950

Plan for deletion of the 63 and 64 year old recipients from the rolls will be outlined in Department Bulletin No. 388. Individual discontinuance documents for such cases will not be necessary when security payments are being disbursed by the Controller. In all other cases discontinuances effective February 28 must be made by Form Ag, B1 232 or list. However, there must be a recording in the individual case record to show the effective date and the reason.

II. Personal Property

The Welfare and Institutions Code provision places a \$600 limitation on the amount of personal property which may be owned. The Code excludes certain types of personal property from consideration in the \$600 limitation. Effective February 28, 1950, the security for any person whose personal property holdings are in excess of the \$600 limitation shall be discontinued by submission of the appropriate discontinuance document. The personal property provisions as effective March 1, 1950, are set forth in Manual Section 141-00. A summary of

the rules and regulations in relation to various types of holdings to be considered in determining eligibility for payment on March 1, 1950, are set forth below:

A. Personal Property Limitation

An applicant or recipient may have personal property holdings not to exceed \$600 after encumbrances of record have been deducted from the current value of the personal property.

Encumbrances include any debt for which personal property is security. The encumbrance must be evidenced by a written record the discharge of which requires the payment of money. Encumbrances include: chattel mortgages; loans, when all or a portion of the personal property is given as security for the loan; attachments for debts, taxes, etc. An unsecured debt is not an encumbrance to be deducted in determining personal property holdings.

B. Personal Property Which Shall be Included in the \$600 Personal Property Limitation

Items of personal property which shall be considered in the \$600 limitation include the following:

1. Money--The amount on hand and/or in a safe deposit box (See Manual Section 143-35); in a bank or postal savings account (See Manual Section 143-37).

Any money (cash or securities) which remains from voluntary sale of the home represents personal property even though a six month period has not elapsed since the date the funds were received. (Under Article XXV money received from the voluntary sale of the home is considered real property for a period of six months from date of receipt.)

Exception: Money (if retained in cash or securities) received by a recipient from the forced sale of his home, i.e., under condemnation proceedings, shall not be considered during the one year period subsequent to the day payment was received. There must be verification of the fact the property was sold under threat of eminent domain proceedings (See Manual Section 146-00).

2. Stocks and Bonds (including war bonds and government savings bonds).

The current market value represents personal property. (See Manual Sections 143-55 and 143-57.)

Exception: Stock in a water company not appurtenant to the land when necessary to obtain water for agricultural purposes is considered real property. (See Manual Section 143-55.)

3. Notes, Mortgages and Deeds of Trust

The current market value represents personal property. (See Manual Section 143-45.)

4. Automobiles and Other Motor Vehicles

The value of automobiles, trucks and other motor vehicles shall be determined on the basis of the vehicle license fee reported on the State Motor Vehicle Department registration card.

The registration card issued by the Motor Vehicle Department must be carried in every motor vehicle taxed by that department. On the registration card (white slip) for passenger cars is recorded the registration fee (\$6) and the "vehicle license fee" which varies in accordance with the value. The amount of the vehicle license fee appears in the space marked "VLF fee" on the line above the space provided for the signature of the legal owner.

The registration card for trucks shows the registration fee, the truck weight fee, and the vehicle license fee. Use only that amount which is recorded in the "VLF Fee".

A schedule of the vehicle license fees and the values which they represent follows:

| <u>VLF</u> | <u>Value of Vehicles</u> | <u>VLF</u> | <u>Value of Vehicles</u> |
|------------|--------------------------|------------|--------------------------|
| \$ 1 | \$ 37 | \$13 | \$ 650 |
| 2 | 105 | 14 | 695 |
| 3 | 150 | 15 | 755 |
| 4 | 200 | 16 | 805 |
| 5 | 250 | 17 | 850 |
| 6 | 295 | 18 | 905 |
| 7 | 355 | 19 | 950 |
| 8 | 405 | 20 | 1000 |
| 9 | 450 | 21 | 1050 |
| 10 | 505 | 22 | 1095 |
| 11 | 550 | 23 | 1155 |
| 12 | 600 | 24 | 1205 |

Should it be necessary to determine the value of the motor vehicle for which the vehicle license is in excess of \$24, add to \$1205 that value in the foregoing table which is opposite the amount by which the vehicle license fee exceeds \$24.

The foregoing table cannot be used to determine the value of new automobiles purchased within the current year. Likewise it cannot be used to determine the value of second hand cars previously registered in another state but bought by recipients during the current year. It is anticipated that such cases will be encountered infrequently. Should it become necessary to determine the market value under either circumstance notify the State Department of Social Welfare of the month within the current year in which the car was purchased and the amount of the vehicle license fee as shown on the white slip. The State Department of Social Welfare will then forward a statement of the market value to be used in determining eligibility. (See Manual Section 143-75 as amended - to be effective March 1, 1950.)

5. Life Insurance Policies

No life insurance policy shall be valued at more than its present cash surrender value. Personal property includes the net cash surrender value of policies on the life of the applicant or recipient which have been in effect less than five years.

When the policy or policies of insurance on the life of the applicant or recipient have been in effect five years or more, the net cash surrender value of that portion of the insurance which exceeds a net maturity value of \$1000 shall be considered in determining the value of personal property holdings. (See Manual Section 143-83.)

In the case of a married couple each is considered to have a one-half interest in the net cash surrender value of policies carried by either. Insurance on the life of an eligible or ineligible spouse is subject to the same exemption outlined in the paragraph immediately above; i.e., each of the couple is considered to have a one-half interest in the net cash surrender value of that portion of the insurance which exceeds a net maturity value of \$1000.

6. Live Stock, Fowl and Farm Equipment

The current market value represents personal property (See Manual Section 143-77).

7. Commercial or Other Business Enterprise

Personal property includes the current market value of an interest in a business enterprise as represented by the stock on hand, fixtures and equipment, and "accounts receivable". (See Manual Section 143-60.)

8. Personal Property Being Purchased or Sold Under Conditional Sales Contract

If the property is being purchased, the market value of the purchaser's equity represents personal property except when the article being purchased represents a personal effect. (See Section C below.) The purchaser's equity is the difference between the market value of the goods being purchased and the remainder due on the contract. (See Manual Section 144-00.)

If the property is being sold under conditional sales contract the market value of the article being sold represents personal property. (See Manual Section 144-05.)

C. Personal Property Not Included in the \$600 Personal Property Limitation

1. Personal effects, which include clothing, household furniture and equipment, foodstuffs, fuel, and jewelry or items of similar character except to the extent that the net value of the jewelry (or items of similar character) exceeds \$200.
2. Interment plots and money placed in trust or insurance for funeral or interment expenses when such money or insurance does not exceed \$500 in value. (See Manual Sections 143-83 and 144-08.)
3. The cash surrender value on \$1000 of insurance on the life of the applicant or recipient when the policy or policies have been in effect five years or more.

III. State Residence

The Welfare and Institutions Code requires State residence during five of the past nine years, and of the five required years of residence the year immediately preceding application must have been one of California residence. Recipients who are currently receiving security will be eligible to payment on March 1, 1950, provided their five years of State residence includes the one year prior to March 1, 1950. The security of recipients who will not have had residence during the full one year prior to that date shall be discontinued by the submission of the appropriate discontinuance document.

Note: County residence is not an eligibility requirement and no case is to be discontinued because of lack of residence in the county for one year preceding 3/1/50 provided the recipient has the necessary period of State residence.

IV. Real Property

The Welfare and Institutions Code limits real property holdings to \$3500 net county assessed value after all encumbrances have been deducted. In the case of a married person the total net county assessed value of all property owned by either or both of the couple may not exceed \$3500 after encumbrances have been deducted. (W&IC Section 2164 and 2165)

Encumbrances include any debt for which the real property is security but to be deductible the encumbrance shall be a written record the discharge of which requires the payment of money. (See Manual Section 132-03.)

Any case in which the total net county assessed value of real property exceeds \$3500 shall be discontinued effective 2/28/50 by the submission of the appropriate discontinuance document.

V. Flow of Discontinuance Documents

In some counties security continues to be disbursed by the county auditor. In others disbursement has been made by the State Controller. A later bulletin will govern the processing and flow of discontinuance documents under the various administrative patterns presently in existence.

VI. Notification to Recipients Whose Security is Discontinued

Each recipient whose security is discontinued due to ineligibility under the Welfare and Institutions Code which is operative March 1, 1950, shall receive written notification of such action together with a statement as to the reason.

Form Ag 239 (revised) December 1948, Notification of Action, shall be used in those counties who are administering the OAS program under contract with the SDSW.

Form Ag 339 (revised August 1949), Notification of Action, shall be used when the administration of the OAS program is through local offices of the SDSW. In the first line of such form it is necessary to block out reference to Article "XXV" and substitute Article "XXVII."

The statement of the reason of discontinuance must be in simple terms and so related to the individual circumstances that the recipient may clearly understand the specific reason for ineligibility.

VII. Restoration of Old Age Security

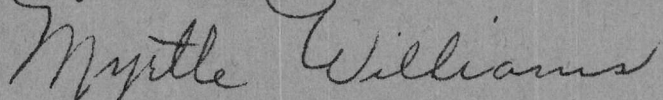
Some recipients whose security is discontinued effective 2/28/50 under the re-enacted provisions of the Welfare and Institutions Code will request reinstatement before the expiration of a twelve month period. The former recipient is not required to sign a new application and, if eligible, security shall be restored. (See Manual Section 215-00, Restoration of Aid, 215-05, Application for Restoration Following Discontinuance Because of Employment, and 611-55, Beginning Date of Aid - Restorations.) All points of eligibility on which there have been any change shall be investigated before aid is restored.

Certain recipients whose security is discontinued effective 2/28/50 because of age will reach the 65th birthday sometime during March or April 1950. Other recipients whose security is discontinued effective 2/28/50 because they did not have state residence during the one year immediately preceding 3/1/50 will acquire one year of California residence during March or April 1950. If such recipients are otherwise eligible, restoration action effective on the date on which such recipients will reach the age of 65 and/or will meet the State residence requirement must be taken on the appropriate document at the time of discontinuance action.

VIII. OAS Analysis Forms

Bulletin 382 required that all assets of each recipient, without regard to exemptions specified in the Welfare and Institutions Code, be recorded on Form Temp 302, OAS Eligibility Analysis. Although eligibility requirements governing property holdings effective March 1, 1950, are those as stated in the Welfare and Institutions Code, it is possible that amendments to the Code may be passed during the next legislative session which will call for some reevaluation of assets. Therefore all prepared copies of Form Temp 302 shall be retained for possible future consideration of total assets.

Very sincerely yours,



MYRTLE WILLIAMS, Director
Department of Social Welfare

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
December 30, 1949

ADDRESS REPLY TO:

FILED

In the Office of the Secretary of State
of the State of California

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

DEC 30 1949

At 4 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Dear Mr. Jordan:

Attached are three copies of the regulations
issued by the State Department of Social Welfare.

DEPARTMENT BULLETIN NO. 388 (Emergency)
DEPARTMENT BULLETIN NO. 389 (Emergency)
DEPARTMENT BULLETIN NO. 390 (Emergency)

These regulations were approved by the State Social
Welfare Board pursuant to the powers conferred upon it by
the Welfare and Institutions Code, Sections 103, 2140, and
3075 on December 29, 1949, for the purpose of implementing
Article XXVII of the California Constitution.

These regulations are to be effective immediately
upon filing with the Secretary of State, since this has been
found necessary for the immediate preservation of the public
peace, health and safety or general welfare and that notice
and public procedure thereon are impracticable, unnecessary
or contrary to the public interest.

The regulations in Department Bulletin No. 388 become
effective and operative on January 1, 1950. The regulations
in Department Bulletins No. 389 and 390 become operative on
March 1, 1950.

Very sincerely yours,

[Signature]
MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

Certified as a Regulation (or
Regulations) of the

Dept of Social Welfare
(Name of State Agency)

Walter Williams
(Signature)

Director
(Title)

12-30-79
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14

December 30, 1949

FILED

In the Office of the Secretary of State
of the State of California

DEPARTMENT BULLETIN NO. 388 (OAS, ANB)

DEC 30 1949

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS
DISTRICT OFFICES SDSW

At 4 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By [Signature] Deputy

Subject: Authorization of Old Age Security
and Aid to Needy Blind Payments
Beginning March 1, 1950.

Under the provisions of Article XXVII of the State Constitution the administration of Old Age Security and Security for the Blind becomes the responsibility of the board of supervisors in the various counties on March 1, 1950. The rules and regulations as outlined herein govern various procedures in relation to transfer of responsibility for administration from the state to the counties.

I. Authorization of OAS and ANB Grants for March 1950 and Thereafter

Under Article XXVII, the board of supervisors is responsible for authorizing Old Age Security and Aid to Needy Blind payments for March 1950 and thereafter. Therefore, there must be an authorization by the board of supervisors for every person who is entitled to receive a grant for March.

The grants for persons entitled to receive payment for the full month of March 1950 shall be authorized by the board of supervisors in list form. The list (hereinafter referred to as the March "roll") shall include the case number in state case number sequence, the name, the amount of the payment to be made, and the effective date (March 1, 1950). The authorization of the board of supervisors for payments to individuals in the amounts specified in the March roll shall

- (a) Take place on or before the date of disbursement of the warrants, and shall show the date of such action.

In order that warrants for March may be delivered without delay, it is recommended that counties secure action by the board of supervisors in February on payments to be made effective March 1, 1950.

- (b) Contain a statement that the listed persons are eligible for Old Age Security or Aid to Needy Blind, in the amounts specified.

Either of the following authorization statements may be used:

The board of supervisors has received the certification of the State Department of Social Welfare that it has, with the approval of the Social Welfare Board, determined the persons listed therein are entitled to receive
Old Age Security
Aid to the Needy Blind in the amounts specified from the county of _____
_____ for the calendar month of March 1950.

The board of supervisors hereby accepts said certification and by action on _____ grants aid in the amount certified for each of the
Date _____
persons as listed on the attached roll, pages _____ to _____ for the

month of March 1950, pursuant to Chapter _____ Statutes of 1949, First Extraordinary Session (SB8), and thereafter until such time as the grant is discontinued or changed by further action of the board of supervisors.

Signature of County Clerk or Deputy

OR

The board of supervisors of the County of _____
on _____ determined that the persons named in the attached
Date

roll pages _____ through _____ were eligible to receive Old Age Security
Aid to Needy Blind

and granted aid in the amount specified to each person for the month of March 1950, and thereafter until such time as the grant is discontinued or changed by further action of the board of supervisors.

Signature of County Clerk or Deputy

Any actions by the board of supervisors in relation to recipients entitled to receive a grant for March 1950, other than the action on the March roll, shall be reported to the State Department of Social Welfare by submission of a properly completed appropriate form Ag, Bl 201, Certificate of Verification of Eligibility (see Manual Section 250-05) or Form Ag, Bl 232, Notice of Change (see Manual Section 361-90).

II. Certification by the State Department of Social Welfare of Persons Eligible to Receive Payment for March 1950

As the first step in giving the county necessary information for preparation of the March 1950 roll to be paid by the county the State Department of Social Welfare, on or before February 15, 1950, will provide each county with a certified list of OAS and ANB recipients who, according to the known facts at the time the list is prepared, will be eligible for the March payment. (If current payments are being disbursed by the State Controller those OAS recipients who will not have reached the 65th birthday by March 1, 1950, will be included in the list but will be clearly identified as ineligible to receive payment for March by a code of 3 or 4 -- see Bulletin 383 issued December 5, 1949. The county shall delete such cases from the March roll to be submitted to the board of supervisors.)

The list as provided the county by the SDSW on or before February 15, 1950, and hereafter referred to as the "basic list," will be in state number sequence and will show the name, address, Federal excess, etc.

After the basic list is prepared certain actions will occur which will require modification of that list. New cases may be granted; recipients whose names appear on the basic list will be found to be ineligible for a March payment due to death, or ineligible because of property holdings, etc.; the circumstances of some recipients may be found to have changed in such manner that they will be eligible to receive a grant for March in a greater or lesser amount than shown

on the basic list. As these facts become known the State Department of Social Welfare will certify additions, deletions or changes in the amount of the grant to the board of supervisors as amendments to the basic list.

Because of the various administrative patterns in existence there will be some variation in the manner of certifying the basic list and in submitting amendments to it. The detail for each type of administrative setup is outlined as follows:

1. State Administration and State Disbursement

a. Basic List

The basic list for preparation of the March roll by the county will be forwarded to the county board of supervisors, attention county welfare director, from the State Department of Social Welfare regional office. It shall be certified by the regional manager or case supervisor.

The certification to be attached to the list forwarded to the county board of supervisors and signed by the regional manager, shall be as follows:

_____ hereby certifies that he is a duly appointed, qualified and acting officer of the State Department of Social Welfare; that he has been authorized by duly enacted rules and regulations of the State Social Welfare Board on December 29, 1949, to approve and certify this basic list as required by Chapter _____, Statutes of 1949, First Extraordinary Session (SB8).

_____ further certifies each of the statements contained in this list are true and correct; that such investigations as were necessary and feasible have been made; that a determination has been made by the State Department of Social Welfare as accurately as possible that each of the persons whose names are listed, except those designated as ineligible for payment for the full month of March by Code Nos. 3 or 4, is entitled to be paid aid under the

Old Age Security Law in the amount indicated for the calendar month of Aid to Needy Blind Law

March 1950 by the county of _____, except to the extent that this list may be amended or modified with respect to certain individuals by a supplemental certification.

Signature

Title

Date

The certified list forwarded to the county will be the original of four copies prepared by the State Controller, and certified by the State Controller to the State Department of Social Welfare. The list will be on warrant register Form CD-12, showing case numbers, names, addresses, amounts, federal excess, etc., and on which Old Age Security recipients, who are to be deleted by the county because they will not have reached the age

on the basis of the information received from the State Department of Health
which will certify that the person or persons in the family of the
person or persons who are the subject of the report.

Persons of the various administrative divisions in existence prior to the
creation of the State Department of Health are in existence and are
in the family of the person or persons who are the subject of the report.

1. State Department of Health

a. State Department of Health

The State Department of Health is the agency which is responsible for the
control of the health of the people of the State. It is the agency which
is responsible for the control of the health of the people of the State.

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control of the health of the people of the State. It is the agency which
is responsible for the control of the health of the people of the State.

Signature

Title

Date

The State Department of Health is the agency which is responsible for the
control of the health of the people of the State. It is the agency which
is responsible for the control of the health of the people of the State.

of 65 by March 1, 1950, are identified by code "3" or "4" in the "eligibility" column. This list will reflect no authorizations by the local State Department of Social Welfare office which occur on or after January 10, 1950.

The regional office will retain one copy of the list as certified to the county board of supervisors; one copy shall be forwarded to the district office of the State Department of Social Welfare; one copy shall be forwarded to the Central Office, 616 K Street, Attention Bureau of Claims Accounting.

b. Supplemental Certifications by State Department of Social Welfare

- (1) Restoration in March following discontinuance effective February 28, 1950.

The State Department of Social Welfare shall certify to the board of supervisors, attention county welfare director, those persons whose OAS was discontinued effective February 28, 1950, due to age or residence ineligibility, but who will meet all eligibility requirements as of some date in March 1950. Data relative to restoration of aid from the specific date in March when eligibility is attained shall be authorized on Form Ag 278, Column 4 and transmitted under certification as outlined on page 5 to the board of supervisors for action by them on or after March 1, 1950. The action by the board of supervisors on such cases shall be reported to the State Department of Social Welfare on Form Ag 232.

- (2) State Department of Social Welfare actions on and after January 10, 1950

Any discontinuances, additions, or changes in the amount of the grant authorized by the State Department of Social Welfare on or after January 10, 1950, affecting the March roll or previous months, will be authorized on Form Ag, Bl 278, Authorization to Grant or Discontinue OAS (SB). Beginning January 10, 1950, the earliest date to be shown in Column 6 of Form Ag, Bl 278 will be March 1, 1950, (February and earlier months will be shown in Column 1 through 4).

When Forms 278 authorized on and after January 10, 1950, affect the March 1, 1950, payment, i.e., call for a payment for March in any amount, or discontinue security effective January 31, or February 28, 1950, the form shall be prepared in quadruplicate. The fourth copy of such form will be transmitted, under supplemental certification as outlined on page 5, from the local office of the State Department of Social Welfare to the county board of supervisors, attention welfare director, as amendment to the basic list previously certified.

The original and first carbon copy of Forms Ag, Bl 278 authorized beginning January 10, through February 17, shall be forwarded as usual through the regional office to the State Controller who will pay items appearing in Columns 1 through 4. A notation by rubber stamp, which will be provided by the Central Office, shall be placed on the face of the Form 278 as follows:

"State Controller _____ Pay only items appearing in Columns 1 through 4."

It is contemplated that the State Controller will continue to disburse supplemental payments through February 28, covering the month of February 1950 or earlier. Since documents authorized in the local office after February 17, would not normally reach the Controller in time for disbursement to be made by him on or before February 28, no Forms 278 are to be authorized or transmitted by the local office after February 17. Each case on which an action would normally be taken on Form 278 between February 17, and March 1, shall be clearly identified and brought to the attention of the receiving county. A statement of the specific action required shall be included in the case record, in longhand if necessary. This will permit identification of those cases calling for priority action by the county immediately following March 1, 1950.

If after February 17, 1950, it becomes known that cases are to be discontinued as of February 28, 1950, notification governing the holding of warrants shall be forwarded to the county auditor. (See Section IV.)

(3) Form of Supplemental Certification by SDSW

Copies of Form Ag, Bl 278 as outlined in (1) and (2) above to be transmitted to the county board of supervisors, attention county welfare director, shall be accompanied by the following supplemental certification, signed by the case supervisor in the local office.

Supplemental Certification No. _____

Location of local office _____

_____ hereby certifies that he is a duly appointed, qualified and acting officer of the State Department of Social Welfare; that he has been duly authorized by rule and regulation of the State Social Welfare Board issued December 29, 1949, to approve, determine and certify this list as required by Chapter _____, Statutes of 1949, First Extraordinary Session (SB8).

_____ further certifies that each of the statements herein are true and correct; that further determinations have been made by the State Department of Social Welfare, with the approval of the State Social Welfare Board, relating to claimants listed in the certification of the basic list for March 1950; that the discontinuances, additions, or other changes relating to the claimants listed herein are to be made to said basic list as previously certified; that each of the persons whose names are included in said basic list, as modified by this supplemental certification, is entitled to be paid aid for the month of March 1950 by the county of _____ under the Old Age Security Aid to Needy Blind law in the amount indicated on said basic list as modified by this supplemental certification.

Signature _____

Date _____

Title _____

The documents attached to this certification are identified below as follows:

| Document Number | Case Number | Surname | Type of Action | |
|--------------------|----------------|---------|---------------------|------------------------------------|
| | | | Discon- tinuance | Amount Granted & Effective Date |
| | | | | |

(List cases in numerical order according to State number. This form to be used for first page only. If additional pages are necessary to complete the identification of documents being transmitted, use blank sheets for additional pages.)

The supplemental certification (carrying identification of the attached documents) shall be prepared in quadruplicate. Each Supplemental Certification shall be numbered, i.e., Supplemental Certification No. 1, Supplemental Certification No. 2, etc. The original copy is transmitted to the county board of supervisors, attention county welfare director; one copy is retained in the local office; one copy is forwarded to the regional office; one copy is forwarded to the State Department of Social Welfare, 616 K Street, Sacramento, attention Bureau of Claims Accounting.

2. County Administration and State Disbursement

a. Basic List

The basic list for preparation of the March roll by the county will be forwarded to the county board of supervisors, attention county welfare director, from the State Department of Social Welfare regional office. It shall be certified by the regional manager.

The certification to be attached to the list forwarded to the county board of supervisors and signed by the regional manager, shall be as outlined on page 3, (Section II, 1 a).

The certified list forwarded to the county will be the original of four copies prepared by the State Controller, and certified by the State Controller to the State Department of Social Welfare. The list will be on warrant register Form CD-12, showing case numbers, names, addresses, amounts, federal excess, etc., and on which Old Age Security recipients, who are to be deleted by the county because they will not have reached the age of 65 by March 1, 1950, are identified by code "3" or "4" in the "eligibility" column. This list will reflect no authorizations by the local office which occur on or after January 10, 1950.

The regional office will retain one copy of the list as certified to the county board of supervisors; one copy shall be forwarded to the Central Office, 616 K Street, attention Bureau of Claims Accounting.

b. Supplemental Certifications by State Department of Social Welfare

- (1) Restoration in March following discontinuance effective February 28, 1950.

The deputy director, State Department of Social Welfare, shall certify to the board of supervisors, attention county welfare director, those persons whose OAS was discontinued effective February 28, 1950, due to age or residence ineligibility, but who will meet all eligibility requirements as of some date in March 1950. Restoration of aid from the specific date in March when eligibility is attained shall be authorized on Form Ag 232 and transmitted to the board of supervisors for action by them on or after March 1, 1950, under certification as outlined on page 5. The action by the board of supervisors on such cases shall be reported to the State Department of Social Welfare on Form Ag 232.

- (2) State Department of Social Welfare actions on and after 1/10/50

Any discontinuances, additions, or changes in the amount of the grant authorized by the deputy director, State Department of Social Welfare, on or after January 10, 1950, affecting the March roll or previous months will be authorized on Form Ag, Bl 278, Authorization to Grant or Discontinue OAS (SB). Beginning January 10, 1950, the earliest date to be shown in Column 6 of Form Ag, Bl 278 will be March 1, 1950 (February and earlier months will be shown in Column 1 through 4).

When Forms 278 authorized on and after January 10, 1950, affect the March 1, 1950, payment, i.e., call for a payment for March in any amount, or discontinue security effective January 31 or February 28, 1950, the form shall be prepared in quadruplicate. The fourth copy of such form will be transmitted, under supplemental certification as outlined on page 5, (Section II, 1, b, 3) signed by the deputy director, State Department of Social Welfare to the county board of supervisors, attention welfare director, as amendment to the basic list previously certified.

The original and first carbon copy of Forms Ag, Bl 278 authorized by the deputy director, State Department of Social Welfare, beginning January 10 through February 17 shall be forwarded as usual through the Regional Office to the State Controller who will pay items appearing in Columns 1 through 4. A notation by rubber stamp, which will be provided by the Central Office, shall be placed on the face of the Form 278 as follows:

"State Controller _____ Pay only items appearing in Columns 1 through 4."

It is contemplated that the State Controller will continue to disburse supplemental payments through February 28 covering the month of February 1950 or earlier. Since documents authorized in the local office after February 17 would not normally reach the Controller in time for disbursement to be made by him on or before February 28, no Forms 278 are to be authorized or transmitted by the local deputy director, State Department of Social Welfare,

The first of these is the fact that the...
The second is the fact that the...
The third is the fact that the...

It is also true that the...

There are also a number of other factors...
The first of these is the fact that the...
The second is the fact that the...
The third is the fact that the...

There are also a number of other factors...
The first of these is the fact that the...
The second is the fact that the...
The third is the fact that the...

There are also a number of other factors...
The first of these is the fact that the...
The second is the fact that the...
The third is the fact that the...

There are also a number of other factors...

There are also a number of other factors...
The first of these is the fact that the...
The second is the fact that the...
The third is the fact that the...

There are also a number of other factors...

There are also a number of other factors...

after February 17. Each case on which an action would normally be taken on Form 278 between February 17 and March 1 shall be clearly identified and brought to the attention of the receiving county welfare department. A statement of the specific action required shall be included in the case record, in longhand if necessary. This will permit identification of those cases calling for priority action by the county immediately following March 1, 1950.

If after February 17, 1950, it becomes known that cases are to be discontinued as of February 28, 1950, notification governing the holding of warrants shall be forwarded to the county auditor. (See Section IV.)

(3) Form of Supplemental Certification by State Department of Social Welfare

Copies of Form Ag, Bl 278 as outlined in (1) and (2) above to be transmitted to the county board of supervisors, attention county welfare director, shall be accompanied by a supplemental certification, the form of which is provided on page 5 in II 1 b (3). This supplemental certification shall be signed by the deputy director, State Department of Social Welfare.

Note that each supplemental certification shall be numbered, i.e., Supplemental Certification#1, Supplemental Certification#2, etc., and a copy of the numbered supplemental certification (showing identification of documents attached) shall be forwarded to the Central Office, State Department of Social Welfare, 616 K Street, Sacramento, attention Bureau of Claims Accounting.

3. County Administration and County Disbursement Under Contract With the State Department of Social Welfare and State Controller

The counties in this group are Monterey, San Benito, San Francisco, Santa Clara and Santa Cruz.

a. Basic list

The local deputy director, State Department of Social Welfare, together with the county auditor shall agree upon the last date in February when changes can be reflected in the March roll to be paid by the county. Form Ag, Bl 232, Notice of Change, discontinuing aid for OAS recipients who will not have reached the 65th birthday by March 1, 1950, who will not have had state residence during the one year preceding March 1, 1950, and recipients (OAS or ANB) who are known to be ineligible for other reason must reach the county auditor prior to his deadline date for preparation of the March roll. The list as prepared for March 1950 payments shall be certified and signed by the deputy director, State Department of Social Welfare, and transmitted to the county board of supervisors, attention county welfare director. The same certification form as outlined in Section II, 1 a shall be used. A copy of the basic list and the certification attached thereto shall be forwarded to the State Department of Social Welfare, 616 K Street, Sacramento, attention Bureau of Claims Accounting.

b. Supplemental Certification by State Department of Social Welfare

The local deputy director, State Department of Social Welfare, shall certify to the board of supervisors those persons whose security was discontinued effective February 28, 1950, due to age or residence ineligibility, but who will meet all eligibility requirements as of

some date in March 1950. Restoration of aid from the specific date in March when eligibility is attained shall be authorized by the deputy director, State Department of Social Welfare, on Form Ag, Bl 232, and transmitted to the board of supervisors for action by them on or after March 1, 1950. The certification to be signed by the deputy director shall be as outlined on page 5 in Section II, 2 b (3) except that no entry will be made in the column headed "document number" in the space provided for identification of the documents attached to the certification.

Each supplemental certification shall be numbered and a copy of the numbered supplemental certification (showing identification of documents attached) shall be forwarded to the State Department of Social Welfare, 616 K Street, Sacramento, attention Bureau of Claims Accounting.

4. State Administration and County Disbursement (Alameda and Los Angeles Counties)

a. Basic List

The Regional Manager will be responsible for negotiating with the appropriate county officials regarding the preparation of the basic list of eligible recipients for March 1950. Such list will be certified and signed by the Regional Manager and transmitted to the county board of supervisors, attention county welfare director, sufficiently in advance of March 1, 1950, to permit necessary action by the board of supervisors on or before March 1, 1950. The certification shall be in the form outlined in Section II, 1, a. A copy of the basic list and the certification attached thereto shall be forwarded to the State Department of Social Welfare, 616 K Street, Sacramento, attention Bureau of Claims Accounting.

b. Supplemental Certification by State Department of Social Welfare

The Regional Manager shall certify to the board of supervisors, attention county welfare director, those OAS recipients whose security was discontinued effective February 28, 1950, due to age or residence ineligibility, but who will meet all eligibility requirements as of some date in March 1950. Restoration of aid from the specific date in March when eligibility is attained shall be authorized on the authorization form presently in use (Form Ag 278 for Alameda; Ag 232 for Los Angeles) and transmitted for action by the board of supervisors on or after March 1, 1950, under supplemental certification as outlined on page 5. The action of the board of supervisors on such cases shall be reported to the State Department of Social Welfare on Form Ag 232.

The Regional Manager will consult with the appropriate county officials regarding other circumstances under which supplemental certifications will be necessary.

Each supplemental certification shall be signed by the Regional Manager, be numbered, and show identification of documents attached. A copy shall be forwarded to the State Department of Social Welfare, 616 K Street, Sacramento, attention Bureau of Claims Accounting.

III. Notification of Change of Address

Dependeing upon the existing administrative pattern, notifications of change of address shall be handled as follows:

1. State Administration and State Disbursement

Beginning January 16, 1950, the local office of the State Department of Social Welfare shall prepare Form AB 243, Notification of Change in Address, in one additional copy. The extra copy will be transmitted to that person designated by the county to receive address changes to be reflected in the March 1, 1950, roll to be paid the county. (The original of Form AB 243 shall be forwarded as usual to the State Controller, attention disbursing officer, and a copy to the Regional Office.)

2. County Administration and State Disbursement

Beginning January 16, 1950, the county welfare department shall prepare Form AB 243, Notification of Change in Address, in one additional copy. The extra copy will be transmitted to that person designated by the county to receive address changes to be reflected in the March 1, 1950, pay roll to be paid by the county. (The original of Form AB 243 shall be forwarded as usual to the State Controller, attention disbursing officer, and a copy to the Regional Office.)

3. County Administration and County Disbursement Under Contract With the State Department of Social Welfare (Monterey, San Benito, San Francisco, Santa Clara, and Santa Cruz)

No change is necessary from the existing method of notification to the county auditor of address changes.

4. State Administration and County Disbursement (Alameda and Los Angeles)

No change is necessary from the existing method of notification to the county auditor of address changes.

IV. Holds

1. State Administration and State Disbursement

Holds, releases, or cancellation transactions covering warrants for February 1950 or earlier months shall be prepared on Form AB 241, Notice to Hold _____ or Dispose of Hold Warrant, and shall be processed as outlined in Regional Social Service Instruction No. 10 (Revised July 1949).

Notification to the county auditor covering any March 1950 county warrants to be held shall be handled in accord with a plan mutually agreed upon by the local office of the State Department of Social Welfare and the county auditor. If there is an existing county form which is to be used, the local office shall request a supply of such forms for use in forwarding hold notifications on March 1950 warrants to the county auditor,

Note: All "held" State warrants in possession of the State Department of Social Welfare Regional Offices or the State Controller's office on March 1, 1950, will be cancelled. County Welfare Departments will be advised of the cancellation of such warrants. (See V, Retroactive Aid for Months Prior to March 1950)

2. County Administration and State Disbursement

The same instructions apply as for offices operating under state administration with state disbursement. See IV, 1, above.

3. County Administration and County Disbursement Under Contract with State Department of Social Welfare and the State Controller (Monterey, San Francisco, San Benito, Santa Clara, and Santa Cruz)

There is no change from the existing method of handling holds, releases and cancellations.

4. State Administration and County Disbursement (Alameda and Los Angeles)

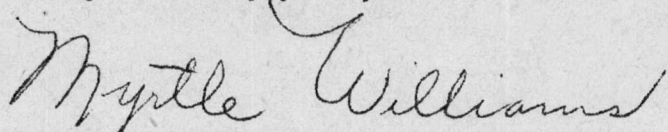
The Regional Manager shall consult with the county auditor to determine what change, if any, in existing procedure may be necessary and to work out an acceptable plan.

V. Retroactive Aid for Months Prior to March 1, 1950

Payment of retroactive aid for months prior to March 1950 may be necessary on certain applications granted by the board of supervisors in March or thereafter. Also it will be necessary in some cases for the board of supervisors to grant retroactive aid in March for January and/or February because the recipients were entitled to receive security in a greater amount than was paid to them in those months. In other cases the facts may establish that the recipient was eligible to receive payment for a month for which the held (suspended) warrant was in possession of the State Controller or the Regional Office of the State Department of Social Welfare on March 1, 1950, and was cancelled.

Specific instructions on the method of payment of retroactive aid for months prior to March 1950 will be released in another bulletin as soon as legal advice has been received.

Very sincerely yours,



MYRTLE WILLIAMS, Director
Department of Social Welfare

MAIN OFFICE
SACRAMENTO
616 K STREET
14

LOS ANGELES OFFICE
MIRROR BUILDING
145 SOUTH SPRING STREET
12

SAN FRANCISCO OFFICE
GRAYSTONE BUILDING
948 MARKET STREET
2

STATE OF CALIFORNIA

Department of Social Welfare

MYRTLE WILLIAMS
DIRECTOR

Sacramento 14
December 28, 1949

ADDRESS REPLY TO:

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED
In the Office of the Secretary of State
of the State of California

DEC 30 1949

At 4 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By *[Signature]* Deputy

Dear Mr. Jordan:

Attached are three copies of the regulations issued by the State Department of Social Welfare with Adoption Manual Letter No. 19.

These regulations were adopted by the State Social Welfare Board on December 15, 1949, pursuant to the powers conferred upon it by the Welfare and Institutions Code under Section 103, and are being filed in accordance with Section 11380 of the Government Code.

These regulations were adopted by the State Social Welfare Board to be effective immediately upon filing with the Secretary of State, since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Myrtle Williams

MYRTLE WILLIAMS, Director
Department of Social Welfare

468:b5
Attachments

Certified as a Regulation (or
Regulations) of the

Dep of Social Welfare
(Name of State Agency)

Myrtle Williams
(Signature)

Director
(Title)

12-28-49
(Date)

MYRTLE WILLIAMS
Director

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
December 27, 1949

FILED
in the Office of the Secretary of State
of the State of California

DEC 30 1949

At 4 o'clock P. M.
FRANK M. JORDAN, Secretary of State
By [Signature] Deputy

ADOPTION MANUAL LETTER NO. 19

The attached revision numbered 104 is to be entered in your copy of the Adoption Manual and the revision number canceled on the inside of the Manual cover.

This revision was adopted by the Social Welfare Board on December 16, 1949, and is to be effective January 1, 1950.

New Sec. 2478-00 gives instructions to agencies for the preparation of the Certificate of Adoption.

Also attached is Appendix 25, Adoption Law - Civil Code Sections 221 through 231, which is to be inserted in the Manual following Appendix 24. The revised Table of Contents of the Appendix is to replace the Table of Contents now in the Manual immediately preceding Appendix 1.

2476-00 (Continued)

2476-00

- C. When the SDSW receives notice from the county clerk that the petition has been filed, it will send to the agency in duplicate its approval of the adoption.
(Form AD 12, Report of SDSW)
- D. The agency shall file its report to the court attaching:
1. The original relinquishment
 2. The acknowledgment by the SDSW of the filing of the relinquishment
(Form AD 11, Acknowledgment of the Filing of an Adoption Relinquishment.)
 3. The waiver of the SDSW (Form AD 12, Report of SDSW). (See Sec. 2122-00.)
- E. The agency shall complete and forward to the SDSW the individual record card,
Form Adop M42.

2478-00 RESPONSIBILITY OF AGENCY FOR PREPARING CERTIFICATE OF ADOPTION

2478-00

The adoption agency which has placed the child for adoption shall be responsible for completing the Certificate of Adoption, since the attorney for the petitioners will not have the names of the natural parents. This form for the certificate may be obtained from the local registrar of births or from the Department of Public Health, Bureau of Records and Statistics, Vital Records Section, 631 J Street, Sacramento.

Parts I and II of the form shall be completed promptly and sent to the county clerk for his certification. He will be responsible for transmitting it to the Department of Public Health in Sacramento. The Department of Public Health will then issue a corrected birth certificate in the new name of the child, will seal the original record in Sacramento, and will request the local registrar to seal his record. A copy of the corrected certificate may be obtained by the agency, the petitioners, or their attorney upon request and payment of \$1.00. See Appendix 6 for Provisions of the Health and Safety Code relative to this procedure.

2476-00 COMPLETING THE ADOPTION

2476-00

- A. At the conclusion of the supervisory period the agency should furnish the attorney for the adopting parents with the following information to be included in the petition:

Petitioners

1. Complete names of petitioners and address.
2. Statement that petitioners are ten years older than minor.
3. Petitioners are residents of _____ County and State of California.

Child

1. Name by which the child is known and name as shown on birth certificate.
2. Name by which the child will be known upon completion of adoption.
3. Date of birth.
4. Place of birth.
5. If the child is twelve years of age or over, the fact that he consents to his adoption.

Parents

1. Statement of whether the child was born out of wedlock or in wedlock.
2. The child was relinquished to _____ Agency by the mother on _____ (date) and by the father (if his relinquishment is necessary) on _____ (date).
3. Action in lieu of relinquishment:
 - (a) If the parent is deceased, the date and place of death.
 - (b) If the parent has been deprived of custody and control (Section 701, Juvenile Court), the date and place of court order.
 - (c) If the relinquishment is not necessary according to Civil Code Section 224, paragraph 4, set forth the facts.
 - (d) If the child is a foundling, set forth the facts.

- B. At the same time, the agency shall notify the SDSW that it approves the completion of the adoption and will join with the adopting parents in the petition to the court. (Form AD 533, Request for SDSW Waiver and Approval.)

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224m. The father or mother may relinquish a child for adoption by a written statement signed before two subscribing witnesses and acknowledged before an authorized official of an organization licensed by the State Department of Social Welfare to find homes for children and place children in homes for adoption. Such relinquishment, when reciting that the person making it is entitled to the sole custody of the minor shall when duly acknowledged before such officer by prima facie evidence of the right of the person making it to the sole custody of the child and such person's sole right to relinquish.

In cases where a father or mother of a child resides outside the State of California and such child is being cared for and is placed for adoption by an organization licensed by the State Department of Social Welfare to place children for adoption, such father or mother may relinquish the child to that organization by a written statement signed by such father or mother before a notary on a form prescribed by the organization, and previously signed by an authorized official of the organization, which signifies the willingness of such organization to accept the relinquishment.

The relinquishment authorized by this section shall be of no effect whatsoever until a certified copy is filed with the State Department of Social Welfare, after which it may be rescinded only by the mutual consent of the parties.

224p. Any person or organization that, without holding a valid and unrevoked license or permit to place children for adoption issued by the State Department of Social Welfare, advertises in any periodical or newspaper, by radio, or other public medium, that he or it will place children for adoption is guilty of a misdemeanor.

224q. Any person other than a parent or any organization, association, or corporation that, without holding a valid and unrevoked license or permit to place children for adoption issued by the State Department of Social Welfare, places any child for adoption is guilty of a misdemeanor.

225. The consent of a child, if over the age of 12 years, is necessary to its adoption.

225m. Any county may apply for, and the State Department of Social Welfare may issue to any county officer or county agency designated by the county making the application, a license under Chapter 1 of Part 3 of Division 2 of the Welfare and Institutions Code, to perform the home-finding and placement functions specified in subdivision (b) of Section 1620 of said code, to investigate, examine, and make reports upon petitions for adoption filed in the superior court in that county, to act as a placement agency in the placement of children for adoption, to accept relinquishments for adoption, and to perform such other functions in connection with adoption as the State Department of Social Welfare deems necessary, or to do any of them.

A license issued to a county officer or agency pursuant to this section constitutes the holder thereof a "county adoption agency," and the holder shall be deemed to be an "organization" within the meaning of those terms as used in this chapter.

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221. Any minor child may be adopted by any adult person, in the cases and subject to the rules prescribed in this chapter.

222. The person adopting the child must be at least 10 years older than the person adopted.

223. A married man, not lawfully separated from his wife, can not adopt a child without the consent of his wife, nor can a married woman, not thus separated from her husband, without his consent, provided the husband or wife, not consenting, is capable of giving such consent.

224. A legitimate child can not be adopted without the consent of its parents if living; however, after the custody of any child has by any judicial decree, been given to the mother, and the father for a period of one year shall willfully fail to pay for the care, support and education of such child when able to do so, then the mother alone may consent to such adoption, but only after the father has been personally served with a copy of a citation requiring him to appear at the time and place set for the appearance in court under Section 227 of this code; if the father can not be located for personal service, the same may be made by publication as provided for the publication of summons in Section 413 of the Code of Civil Procedure; nor an illegitimate child without the consent of its mother if living; except that the consent of a father or mother is not necessary in the following cases:

1. When such father or mother has been judicially deprived of the custody and control of such child (a) by order of the juvenile court, declaring such child to be free from the custody and control of either or both of his parents as provided in the Welfare and Institutions Code, adopted May 25, 1937, or any act or acts superseding or amending the same, or (b) by similar order of a court of another jurisdiction, pursuant to any law of that jurisdiction authorizing such order; or when such father or mother has, in a judicial proceeding in another jurisdiction, voluntarily surrendered his right to the custody and control of such child pursuant to any law of that jurisdiction providing for such surrender.
2. Where such father or mother of any child has deserted the child without provision for its identification.
3. Where such father or mother of any child has relinquished said child for adoption as provided in Section 224m of this code; or where such father or mother has relinquished said child for adoption to a licensed or authorized child placing agency in another jurisdiction pursuant to the law of that jurisdiction.
4. Where such father or mother, whose consent is otherwise required, has been declared by a court of competent jurisdiction of this or any other state to be feeble-minded or insane, if the State Director of Institutions or the superintendent of the state hospital of which, if any, such father or mother, is an inmate or patient, certify that such father or mother will not be capable of supporting or controlling the child in a proper manner.

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petition within 180 days after the filing of the petition; provided, however, that the court may allow such additional time for the filing of said report as in its discretion it may see fit. The report required of the Department of Social Welfare or of the licensed county adoption agency may be waived by the department in all cases in which an agency, licensed by the Department of Social Welfare to place children in homes for adoption, is a party or joins in the petition for adoption. Such waiver may be issued by the department at any time, either before or after the filing of the petition for adoption.

Whenever any report or findings are submitted to the court by the Department of Social Welfare or by a licensed county adoption agency under any provision of this section, a copy of such report or findings, whether favorable or unfavorable, shall be given to the attorney for the petitioner in the proceedings, if the petitioner has an attorney of records, or to the petitioner.

If the findings of the State Department of Social Welfare or the county adoption agency are that the home of the petitioners is not suitable for the child and it recommends that the petition be denied, the county clerk upon receipt of the report of the State Department of Social Welfare or the county adoption agency shall immediately refer it to the superior court for review.

In case of an adoption of a child by a stepparent where one natural or adoptive parent retains his or her custody and control of said child, the consent of either or both parents must be signed in the presence of a county clerk or probation officer of any county of this State on a form prescribed by the State Department of Social Welfare and the county clerk or probation officer before whom such consent is signed shall immediately file said consent with the clerk of the superior court of the county where the petition is filed and said clerk shall immediately file a certified copy of such consent to adoption with the State Department of Social Welfare.

If the father or mother of a child to be adopted is outside the State of California at the time of signing consent, his or her consent may be signed before a notary or other person authorized to perform notarial acts, and in such case the consent of the Department of Social Welfare will also be necessary, but such consent shall not be necessary where the adoption is by a stepparent and one natural parent retains custody and control of the child.

A parent who is a minor shall have the right to sign a consent for the adoption of his or her child and such consent shall not be subject to revocation upon such parent reaching his or her majority.

If for a period of 180 days from the date of filing the petition, or upon the expiration of any extension of said period granted by the court, the Department of Social Welfare or the licensed county adoption agency fails or refuses to accept the consent of the natural parent or parents to the adoption, or if said department or agency fails or refuses to file or to give its consent to an adoption in those cases where its consent is required by this chapter, either the natural parent or parents or the petitioner may appeal from such failure or refusal to the superior court of the county in which the petition is filed, in which event the clerk shall immediately notify the Department

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225p. Whenever a petition is filed for the adoption of a child who has been relinquished to the county by his parents, the county may, at the time of filing a favorable report in the superior court, require the persons petitioning to become the adoptive parents to pay to the county a fee equal in amount to the cost to the county of the care of the child from the time he was relinquished until he was placed for adoption, but not more than two hundred dollars (\$200).

226. Any person desiring to adopt a child may for that purpose petition the superior court of the county in which the petitioner resides and the clerk of the court shall immediately notify the State Department of Social Welfare at Sacramento in writing of the pendency of the action and of any subsequent action taken. In all cases in which consent is required, except in the case of an adoption by a stepparent where one natural or adoptive parent retains his or her custody and control of the child, unless an agency licensed by the State Department of Social Welfare to find homes for children and place children in homes of adoption joins in the petition for adoption, the consent of the natural parent or parents to the adoption by the petitioners must be signed in the presence of an agent of the State Department of Social Welfare or of a licensed county adoption agency on a form prescribed by such department and filed with the clerk of the superior court, in the county of the petitioner's residence.

Such consent, when reciting that the person giving it is entitled to the sole custody of the minor child, shall, when duly acknowledged before such agent, be prima facie evidence of the right of the person making it to the sole custody of the child and such person's sole right to consent.

In all cases of adoption in which no agency licensed to place children for adoption is a party, except in the case of an adoption by a stepparent where one natural or adoptive parent retains his or her custody and control of the said child, it shall be the duty of the Department of Social Welfare or of the licensed county adoption agency to accept the consent of the natural parents to the adoption of the child by the petitioners and to ascertain whether the child is a proper subject for adoption and whether the proposed home is suitable for the child, prior to filing report with the court.

In all cases in which the consent of the natural parent or parents is not necessary and an agency licensed to place children for adoption is not a party to the petition, the State Department of Social Welfare or the licensed county adoption agency shall, prior to the hearing of the petition, file its consent to the adoption with the clerk of the superior court of the county in which the petition is filed. Such consent shall not be given by the Department of Social Welfare or the licensed county adoption agency unless the child's welfare will be promoted by the adoption.

Except in the case of the adoption of a child by a stepparent where one natural or adoptive parent retains his or her custody and control of the child, it shall be the duty of the Department of Social Welfare or of the licensed county adoption agency to submit to the court a full report of the facts disclosed by its inquiry with a recommendation regarding the granting of the

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226m. Notwithstanding the provisions of Section 124 of the Code of Civil Procedure, all superior court hearings in adoption proceedings shall be held in private, and the court shall exclude all persons except the officers of the court, the parties, their witnesses, counsel, and representatives of the agencies present to perform their official duties under the laws governing adoptions.

227. The person or persons desiring to adopt a child, and the child proposed to be adopted, must appear before the court; provided, that if said adoptive parent is then commissioned or enlisted in the military service, or auxiliary thereof, of the United States, or of any of its allies, or in the American Red Cross, so that it is impossible or impracticable, because of such person's absence from the State of California, or otherwise, for said person to make such appearance in person, and said circumstances are established by satisfactory evidence, said appearance may be made for such person by his or her counsel, commissioned and empowered in writing so to do and which said power of attorney may be incorporated in the petition for adoption. The court must examine all persons appearing before it pursuant to this section, each separately, and if satisfied that the interest of the child will be promoted by the adoption, the party or parties adopting shall execute or acknowledge an agreement in writing that the child shall be treated in all respects as the lawful child of the party or parties, and the court shall thereupon make an order awarding the custody of the child to the adopting parent or parents. In a case where the adopting parent is permitted to appear by counsel, the agreement may be executed and acknowledged by such counsel for such absent party, or may be executed by such absent party before a notary public, or any other person authorized to take acknowledgments including the persons authorized by Sections 1183 and 1183.5 of this code; provided, that in any case where said adoptive parent is permitted to appear by counsel hereunder, or otherwise, the court may, in its discretion, cause such examination of said adoptive parent, other interested party, or witness to be made upon deposition, as it deems necessary, said deposition to be taken upon commission, as prescribed by the Code of Civil Procedure, and the expense thereof to be borne by the petitioner. The petition, relinquishment, agreement, order, and any power of attorney and deposition must be filed in the office of the county clerk and shall not be open to inspection by any other than the parties to the action and their attorneys and the State Department of Social Welfare except upon the written authority of the judge of the superior court.

227a. The probation officer in the county in which the action for adoption is pending shall make an investigation of each case of adoption by a step-parent where one natural parent retains custody and control of the child. No order of adoption shall be made by the court until after such probation officer shall have filed his report and recommendation and the same shall have been considered by the court.

227aaa. Notwithstanding any other provision of law, the State Department of Social Welfare, and any holder of a license or permit to place children for adoption issued by the State Department of Social Welfare may furnish information relating to any adoption petition to the juvenile court, to any county welfare department, to any public welfare agency, or to any private welfare

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of Social Welfare of such appeal and the department or agency shall within 10 days file a report of its findings and the reasons for its failure or refusal to consent to the adoption or to accept the consent of the natural parent. After the filing of said findings, the court may, if it deems that the welfare of the child will be promoted by said adoption, allow the signing of the consent by the natural parent or parents in open court, or if the appeal be from the refusal of said department or agency to consent thereto, grant the petition without such consent.

226a. Once given, consent of the natural parents to the adoption of the child by the person or persons to whose adoption of the child the consent was given, may not be withdrawn except with court approval. Request for such approval may be made by motion, or a natural parent seeking to withdraw such consent may file with the clerk of the superior court where the petition is pending, a petition for approval of withdrawal thereof, without the necessity of payment of any fee for the filing of such petition. The petition shall be in writing, and shall set forth the reasons for withdrawal of consent, but otherwise may be in any form.

The clerk of the court shall set the matter for hearing, and shall give notice thereof to the State Department of Social Welfare, to the persons to whose adoption of the child the consent was given, and to the natural parent or parents, in the manner provided in Section 1200 of the Probate Code.

The State Department of Social Welfare or the licensed county adoption agency shall, prior to the hearing of the motion or petition for withdrawal, file a full report with the court and shall appear at the hearing to represent the interests of the child.

At the hearing, the parties may appear in person or with counsel. The hearing shall be held in chambers, but the court reporter shall report the proceedings and his fee therefor shall be paid from the county treasury on order of the court. If the court finds that withdrawal of the consent to adoption is reasonable in view of all the circumstances, and that withdrawal of the consent will be for the best interests of the child, the court shall approve the withdrawal of the consent; otherwise the court shall withhold its approval.

Any order of the court granting or withholding approval of a withdrawal of a consent to an adoption may be appealed from in the same manner as an order of the juvenile court declaring any person to be a ward of the juvenile court.

226b. Whenever, in any adoption proceeding in which an unrevoked consent to the adoption of the child has been given by the natural parent or parents, the petitioners desire to withdraw the petition for the adoption or to dismiss the proceeding, the clerk of the court in which the proceeding is pending shall immediately notify the State Department of Social Welfare of such action. The State Department of Social Welfare or the licensed county adoption agency shall file a full report with the court recommending a suitable plan for the child in every such case or where the department or county agency recommends that the petition for adoption be denied and shall appear before the court for the purpose of representing the child.

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230. The father of an illegitimate child, by (1) publicly acknowledging it as his own, (2) receiving it as such, (3) with the consent of his wife, if he is married, (4) into his family, and (5) otherwise treating it as if it were a legitimate child, thereby adopts it as such; and such child is thereupon deemed for all purposes legitimate from the time of its birth. The foregoing provisions of this chapter do not apply to such an adoption.

231. An action may be brought for the purpose of having declared the existence or nonexistence between the parties of the relation of parent and child, by birth or adoption.

agency licensed by the State Department of Social Welfare whenever it is believed the welfare of a child will be promoted thereby.

227b. If any child heretofore or hereafter adopted under the foregoing provisions of this code shows evidence of being feeble-minded, epileptic or insane as a result of conditions prior to the adoption, and of which conditions the adopting parents or parent had no knowledge or notice prior to the entry of the decree of adoption, a petition setting forth such facts may be filed by the adopting parents or parent with the court which granted the petition for adoption. If such facts are proved to the satisfaction of the court, it may make an order setting aside the decree of adoption.

The petition must be filed within whichever is the later of the following time limits: (a) Within five years after the entering of the decree of adoption, or (b) within one year after the effective date hereof, if such a condition were manifest in the child within five years after the entering of the decree of adoption.

In every action brought under this section it shall be the duty of the clerk of the superior court of the county wherein the action is brought to immediately notify the State Department of Social Welfare of such action. Within 60 days after such notice the State Department of Social Welfare shall file a full report with the court and shall appear before the court for the purpose of representing the adopted child.

227c. Whenever the decree of adoption of any child shall have been set aside as provided in Section 227b, the court making the order shall direct the district attorney, or a psychopathic probation officer, or any suitable person, to take proceedings under the respective chapter of the Welfare and Institutions Code, relating to the commitment of insane persons, or feeble-minded or epileptic persons, as the case may be. The court may also make such order relative to the care, custody, or confinement of the child pending the proceedings as it sees fit.

The county in which the proceedings for adoption were had shall be and remain liable for the support of the child until he shall have been declared sane, or restored to capacity, and in any event until he is able to support himself.

228. A child, when adopted, may take the family name of the person adopting. After adoption, the two shall sustain towards each other the legal relation of parent and child, and have all the rights and be subject to all the duties of that relation.

229. The parents of an adopted child are, from the time of the adoption, relieved of all parental duties towards, and all responsibility for, the child so adopted, and have no right over it.

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